

NILES'

WEEKLY REGISTER,

CONTAINING

**POLITICAL, HISTORICAL, GEOGRAPHICAL, SCIENTIFIC, STATISTICAL,
ECONOMICAL AND BIOGRAPHICAL**

DOCUMENTS, ESSAYS AND FACTS,

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

H. NILES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

**FROM SEPTEMBER, 1831, TO MARCH, 1832—VOL. XLI. OR,
VOLUME V.—FOURTH SERIES.**

Baltimore:

PRINTED BY THE EDITOR,

AT THE FRANKLIN PRESS, WATER-STREET, EAST OF SOUTH-STREET

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NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 1—VOL. V.

BALTIMORE, SEPT. 3, 1851.

[VOL. XLI. WHOLE NO. 1,041

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Because that the editor has been for several days much indisposed, and on account of the sudden and awfully severe illness and consequent decease of a much beloved son, *Robert Duer Niles*, aged nearly 22 years, who died on Friday morning last—he has not been enabled to do more than give general directions as to the business of the present sheet, and was compelled also to defer a notice of very many communications of a private nature, and of others concerning matters of public interest.

The paper, (for the sake of uniformity), is dated on Saturday, the 3rd Sept. though not really published until Tuesday the 6th—and contains only articles of intelligence up to its date, all the matter being prepared at the usual period.

ELECTIONS. The following is the result of the late congressional elections in *North Carolina*—

<i>Last congress.</i>	<i>Next congress.</i>
William B. Shepard,	Wm. B. Shepard,
Willis Alston,	John Branch,
Thomas H. Hall,	Thomas H. Hall,
Jesse Speight,	Jesse Speight,
Robert Potter,	Robert Potter,
Edward B. Dudley,	James J. McKay,
Edmund Deberry,	Lauchlin Bethune,
Daniel L. Barringer,	Daniel L. Barringer,
Augustin H. Shepherd,	Augustin H. Shepherd,
Abraham Rencher,	Abraham Rencher,
Henry W. Conner,	Henry W. Conner,
Samuel P. Carson,	Samuel P. Carson,
Lewis Williams,	Lewis Williams,

Mr. Conner beat his opponent, Mr. Shipp, 854 votes—Mr. Bethune beat Mr. Deberry, late member, by only 9 votes; and Mr. W. B. Shepard beat Mr. Wheeler by 1,121 votes. In the other districts the opposition to the gentlemen elected was not very large.

Kentucky election. The Lexington (Kentucky) Reporter gives the final results of the Kentucky election to this effect:—

to this effect:		Members of the Legislature.	
Congressional districts.		Clay.	Jackson.
1.	Marshall's district (1 senator C.)	6	1
2.	Allan's district (1 senator C.)	6	0
3.	Letcher's district,	9	1
4.	Tompkins' district,	6	3
5.	Chilton's district (1 senator C.)	5	5
6.	Leeompte's district (1 senator J.)	6	3
7.	Daniel's district (2 senators; 1 J., 1 C.)	5	4
8.	Wickliffe's dist. (2 senators; 1 J., 1 C.)	4	4
9.	Gaither's district,	3	5
10.	Johnson's district,	2	6
11.	Adair's district,	2	6
12.	Lyon's district, (1 senator C.)	2	6
Representatives		56	44
Senators		6	3
Members of congress		4	8
Total		66	55

The member from Davis and one member from Hardin and Mead, are pledged to vote for Mr. Crittenden, for the United States senate.

<i>Senators elected.</i>	<i>3 Jackson.</i>
6 <i>National republicans.</i>	
Robert Taylor,	John Rodman,*
W. P. Fleming,	David Harris,*
Benjamin Hardin,	James Guthrie,*
James Clark,*	
James Ghoulson,*	
Wm. R. Griffith,*	

[It turns out that Mr. Chilton has not been elected, though hitherto elected by a *Jackson* majority of 1,900

votes. He has now been beaten by Mr. *Hawes*, by a majority of 9 votes. For *Hawes* 3,861; Chilton 3,852.]

The following is a complete list of the representation in the next congress from the state of Tennessee.

1st district	John Blair.	Re-elected.
2nd do.	Thomas D. Arnold.	In place of Lea.
3rd do.	James Standifer.	Re-elected.
4th do.	Jacob C. Isaacks.	Do.
5th do.	William Hall.	In place of Desha.
6th do.	John Bell.	Re-elected.
7th do.	James K. Polk.	Do.
8th do.	Cave Johnson.	Do.
9th do.	William Fitzgerald.	In place of Crockett.

Mr. Blair was strongly opposed by Mr. Carter, but the latter was beaten by a majority of more than 500 votes.

Alabama elections.—Mr. Lewis is re-elected to congress. From Mr. Baylor's district, the returns are—Mardis 4,247—Garth 3,597—Baylor (late member) 2,749. Mr. Mardis supposed to be elected. Mr. Clay, the former representative, is re-elected in the remaining district.

Indiana election. The Lawrenceburg Palladium, a very decided administration paper, gives us the following additional returns of the late election in Indiana—39 Clay members of the house of representatives and 7 of the senate, and 30 Jackson of the house and 6 of the senate have been chosen.

In the first district for congress, Mr. *Boon* received 10,530 votes and Mr. Law 10,306; in the second district, Mr. Carr had 4,843 votes, and Mr. Wick 4,539; in the third district, Mr. Test, late member, had 3,095 votes, Mr. Smith, (also Clay) 4,845 votes—and Mr. *McCarty*, Jackson, 3,970 votes. The latter elected, though the other two had 2,000 votes more than he. The returns are not complete, but the Palladium says that Messrs. *Boon*, *Carr* and *McCarty* are chosen.

We have already mentioned the election of Mr. Noble, as governor; the Palladium supposes that Mr. Wallace, also a friend of Mr. Clay, has been elected lieutenant governor by a majority of from 2,000 to 3,000.

The "*Illinois Intelligencer*" of the 13th Aug. says that Mr. Duncan has been re-elected to congress by a large majority—but, as there were several candidates, nothing certain can be inferred, as to rational politics, from this election. There were six candidates, Messrs. Duncan, Coles, Breeze, Turney, Field and Bond—three or four of whom polled heavily in certain counties of the state. For instance in Madison, the first on the list, the whole number of votes was 845, of which Mr. D. had only 255, being beaten by Mr. Coles and nearly equalled by Mr. Breeze, and two others received 102 votes. Nothing is said of the political character of the legislature.

Mr. Newton has been elected to congress from the Norfolk district, Virginia, by a majority of 61 votes, over Mr. Loyall, late member.

The fullest return that we have seen, shows that Mr. Fitzgerald had obtained 7,647 votes, and Mr. Crockett 7,098 in Tennessee,—three small counties were yet to be heard from. The former is elected.

We have often cautioned our readers as to the difficulty of ascertaining truth in the various articles of news that we are in the habit of publishing. We must altogether refrain from giving information on any subject until it becomes stale, by undoubted results,—or measurably incur the risk of error, like other publishers of periodical papers. It is sufficient that we endeavor to collect the facts—and every body knows that errors in fact, (no matter by whom made), are never permitted to remain one publication uncontradicted, if observed by the editor. This note is added because of a *rude* remark, and *false* insinuation, made in another paper—which, perhaps, may be mentioned hereafter.

*New senators.

VOL. XLI.—No. 1.

GENUINE BULL-ISM. The "Standard" says—The following ridiculous tirade, respecting the state of civilization in this country, is from the July number of the London Monthly Magazine. The harangues alluded to, are those spoken at a recent meeting of the Prison Discipline society:

"Passing over the worn-out common-places of those harangues, the praise of American prison affairs, as if there could be any rational comparison between England, crowned as she is with temptations to pillaging, and loaded with a population of six millions of a mercantile and manufacturing race; and America, where is nothing to steal but grass or water; where the spade is the only thing of value, and the land the only thing out of which a man can live; America, where every man must be his own tailor, carpenter, lawyer, and rearer of cabbages; where, if a man must devise the stealing of a pair of breeches, he must first slay and strip the wearer, inasmuch as no man, from the president downwards, has a second pair; where the arts of life consist in planting maize and potatoes, and the luxuries of life consist in boiling them into puddings; where there are more acres of land than knives and forks; a looking glass is a show that congregates the population of a province; a picture has never been seen; a salt spoon is a phenomenon which no American traveller, who values his reputation for veracity in the states, has ever ventured to announce; and it is notorious, that a tea service of French plate accumulated the unpopularity of the Adames to such a degree, that it overthrew that ancient dynasty, and federalism along with it, forever."

Glorious John Bull. "Chaos would come again" without thee! and "the stars grow dim with age" with thy decline in pomposity. In contrast with the preceding, it is pleasing to observe such generous remarks as the following, from our English brethren. They are copied from the London World. While they show the powerful action of good men on a community, they invite the union of the pious on both sides the Atlantic in noble efforts for the salvation and liberties of the world:

"Who taught the proud king of Egypt, and through him all the monarchs of the earth, the folly of trusting to arts and arms as the means of keeping those in cruel bondage who ought to be free, but the meekest of men? Who taught the haughty and vain Nebuchadnezzar, and his still weaker successors, that there is a greater power than that which belongs to great armies and vast dependencies, but the pious youths who despised the commands of kings when they interfered with the commands of God? And who are now disconcerting all the wily politicians in the world, and presenting an example of good government, which is drawing under its protection the most enterprising, skillful, and industrious families of the old world, and setting bounds to tyranny every where, but the descendants of the pilgrim fathers, who, driven from their own land, became blessings to that new world in which freedom and pure christianity appear at length to have found a resting place, a secure abode?"

"Let no friend of freedom complain of our attention to our brethren of America. They are enlightened, generous and free, and must guide the destinies of the world, unless we can provoke in our countrymen a spirit of noble and generous emulation. We would have England and America stimulate each other, and combine their influence to extend to all mankind the blessings of Christian knowledge, and its fruit, universal liberty. To this end, both countries must educate the young, promote the observance of the Sabbath, honor the faithful ministers of religion, and abolish slavery all over the world. They may give laws to mankind, if they please; but they must be just laws, and promotive of universal love. What are the United States of America but a part of England across the seas? They form the habitations of our brothers and our sons. There is the land of freedom, and we may well be proud of our connexion with it. We envy not the rising greatness of her people; they are our relatives and our friends. They are co-operating with us, and together we are struggling against the usurped and hateful, but short-lived, dominion of brute force over intellect and science; of erail and despotism, where wisdom and virtue should reign supreme. And we know

we shall triumph. The darkness must be dispelled by the light, falsehood give way to truth, and righteous government prevail over oppression; for the influence of our Redeemer begins to be felt, and "the Light of Israel shall be for a fire, and his Holy One for a flame, and it shall burn and devour the thorns and briars in one day."

THE GOLD REGION. The Charleston Gazette says—We have been favored by a friend with the following extract of a letter from Charlotte, N. C. dated June 14, which gives us a brief and passing glimpse into the gold region of that quarter. The writer says—"The amount of money expended here is enormous, and the works are now yielding a handsome supply of gold. I went down a ladder about one hundred feet, perpendicular, and thence along galleries well-braced on the sides, and roofed with boards over-head, for some hundred feet further. I then followed, in a slanting direction, the vein to the spot where the miners were taking the ore from the earth, and sending it aloft by means of buckets which are drawn up by mules. Two hands did about 60 bushels of ore per diem, and the chevalier *Ritafanti*, informs me that when he gets his new mill into operation, he will make about \$500 worth of gold every day."

THE VICE PRESIDENCY. The exclusive republicans of New York, and the exclusive republicans of Pennsylvania, are on the verge of a violent quarrel for the vice-presidency—the first being for Mr. Van Buren, and the last for almost any one else.

MR. MADISON. We had the pleasure of conversing, a day or two ago, with a gentleman who had just before spent a day in the company of Mr. Madison, at his seat in Orange county, Virginia. Our readers will be glad to learn, that the venerable ex-president is in fine health, and in full possession of all his faculties of mind and body, with unabated cheerfulness of spirits, having before him the prospect of living to a good old age. His years at present number more than eighty; but his mother lived, if we mistake not, to nearly a hundred years, and we have reason to hope that her son will for many years continue to exhibit to the present generation, an illustrious living example of the pure and virtuous character of the statesmen to whom we are indebted for our present admirable frame of government. It is, indeed, a glorious moral spectacle, to see the father of the constitution receiving the homage of the respect and veneration of the children of those who have grown up and prospered under its wings.

There are many of our readers who will rejoice to learn, that their old unvarying and kind friend, the excellent consort of Mr. Madison, is in the same health and spirits as himself. [Nat. Intel.

CHURCHES IN THE UNITED STATES IN 1831. It has been ascertained that there are now in the United States more than 12,000 churches. The principal religious denominations are Baptists and Methodists, who have together 4,484 churches; the Presbyterians have 1,472 churches; the Congregationalists have 1,381 churches; the Episcopalians are also numerous, and have 922 churches; the Roman Catholics have 784 churches; the Dutch reformed have 602 churches; the Friends have 462 societies; the Universalists have 296 churches; the Lutherans have 240 churches; the Unitarians have 127 churches; the Jews have 96 synagogues; the Calvinistic Baptists have 84 churches; the Swedenborgians have 73 churches; and the Moravians 56 churches.

IRELAND. We have many "tales of horror" from this unhappy country—the following is a specimen:

A summary of Irish intelligence given in a London paper presents a frightful picture of the state of some parts of that country. In the county of Galway, a man suspected of being an informer, was murdered and his eyes taken out by the assassins. A Mr. Shiell, of Shaggarry, in the same county, was waylaid and beaten with stones till his skull was fractured. He was left for dead, and shortly afterwards expired. The magistrates of the county of Galway had a meeting in which it was unanimously resolved, that the ordinary administration of the

laws was not enough to put down the disturbances in that county.

CURIOUS MARRIAGES IN IRELAND. In the course of a trial at the Roscommon special commission, evidence was given relative to the marriage of a Catholic female with a man who had been a Protestant, which, under the extraordinary (still existing) law in Ireland, subjects a Catholic priest to a penalty of five hundred pounds. The witness thus described the curious evasion of the law adopted on this occasion:—"He was married at twelve o'clock at night; did not see the priest, who was in one room (the vestry) and he in another; the words of marriage, "for better for worse," were said in the room, and saw only the hand of a man put through an aperture of the door; saw a stole and a white shirt on the man; the clerk of the chapel was present; the ring was put on his wife's finger by the clerk, and not by the priest.—Went to mass to please his wife, or he would get 'tucks' (hard treatment.) Saw no white shirt, but part of his arm, which was put through the opening of the door, in giving aspergos in water.

[We had thought that the act of emancipation had done away with all despotisms in religious matters.]

RUSSIA. This mighty empire is said to be much disturbed by the discontents of the people. The day, we trust, is at hand when the terrible despotism and abject slavery that prevails, will be abolished. Poland may leave the whole mass.

THE CHOLERA MORBUS has broken out at St. Petersburg—the imperial family had abandoned the city, and the population was in "a state of complete consternation."

THE POLES. We translate the following address of the French central committee, in favor of the Poles, to the electors of France, from the supplement to the *Courrier Francais* of the first of June last.

"Gentlemen: Preparatory assemblies are taking place among you, in order to fix your choice between the different candidates for the deputations; the day of election will, also, soon arrive, and you will meet in order to give deputies to France. We imagine, gentlemen, that we should be conforming to your feelings by asking of you to cause these different meetings to result profitably for the Polish cause. It is not necessary for us to explain to the flower (l'élite) of the French nation the right which our Polish brethren possess to our affection. It is the desire of all in France who are the friends of honor and their country, to seize every opportunity of showing to the world our admiration of Poland, and our wishes for her triumph. By this strong claim, the committee has reckoned on your co-operation. They propose to you to open subscriptions, the produce of which shall be destined to aid the cause of the Polish heroes, in the dreadful contest which they are waging so gloriously. It will not be useless to unite with the nomination of men who are about to give a constitution to France, an action serviceable to that generous nation, who are contending so courageously for independence and liberty."

[This address is signed by seventy-four of the most eminent names of modern France, including that of the patriarch of liberty—LAFAYETTE.]

GEOGRAPHICAL ITEMS. Amount of the population and of the extent of territory of the five principal monarchies of Europe:

	Square miles.	Population.
Russia, in Europe,	75,154	47,660,000
Out of Europe,	292,339	11,714,000
England, in Europe,	5,334	21,400,000
Out of Europe,	176,971	115,141,000
France, in Europe,	10,086	30,749,000
Out of Europe,	667	469,000
Austria,	12,265	29,691,000
Prussia,	5,014	11,400,000
Total,	578,044	268,324,000

Supposing the earth's surface to be 2,125,000 square miles, and its inhabitants to amount to 938,000,000, then

these five monarchies occupy nearly a fourth part of the surface, and rule over 2-7th's of the human race. Europe having 155,220 square miles, and a population of 206,780,000 souls, the five powers possess more than two-thirds of its territory and of its population. The empire of China, however, is more extensive and more densely peopled than all Europe. The Spanish monarchy before its dissolution, reckoned more than 30 millions of people.

NATIONAL MILES.

Mile of Russia	750 geometrical paces, or 1,100 yds.	
" Italy	1,000 "	1,467 "
" England*	1,150 "	1,760 "
" Scotland & Ireland	1,500 "	2,200 "
The small league	2,000 "	2,953 "
The mean league	2,500 "	3,666 "
The great league of France	3,000 "	4,400 "
Mile of Poland	3,000 "	4,440 "
" Spain	3,348 "	5,028 "
" Germany	4,000 "	5,866 "
" Sweden	5,000 "	7,233 "
" Denmark	5,000 "	7,233 "
" Hungary	6,000 "	8,800 "

THE EVENTS OF A YEAR. Fraser's Magazine for July has "a word at parting," which shows how much more durable that publication is, in these days of change, than thrones and sceptres.

A little year ago, and George IV. ruled in England and Hanover—Charles X. in France—Pius VIII. in Rome—Charles Felix in Sardinia—Francis Janvier in Naples—Anthony in Saxony—Pedro in Brazil—Charles in Brunswick—William had the kingdom of the Netherlands—Nicholas was undisputed autocrat of Poland. Where are they now?—in the grave—in exile—or shorn of their dominions. And yet the revolution has not much more than begun. A new spirit has been unloosed, and he hovers over the world, whether for good or for evil. We have had no comet shaking its horrid hair above us, but earthly portents of direr kind, with fear of change, are perplexing monarchs.

"New powers from home, and discontents at home,
Meet in one line: and vast confusion waits
(As doth a raven on a sick-fallen beast)
The imminent decay of wretched pomp.
How happy he, whose cloak and cincture can
Hold out this tempest."

FOREIGN NEWS.

An arrival at New York, brings Liverpool dates to the 14th July, inclusive.

ENGLAND.

The reform bill was strongly opposed in every stage of its progress, though the opposition seem to decrease, in numbers, if the successive votes upon its details are to be taken as the criterion.

The circumstances of the massacre at Newtownbarry, was to be inquired into on the 13th July. It was contemplated to equalize the duty on wines. Mr. Brogham had for the present abandoned his bankrupt court bill. Lord John Russell has been honored with the freedom of the city of London. Sir Walter Scott was dangerously ill. The trade of Liverpool was remarkably brisk.

FRANCE.

It is reported that the French ministry intend to declare in favor of Poland after the elections are completed, and that they will give up and renounce hereditary peerage. These movements have rendered them very popular, and will enable France to assume an attitude worthy of her character and the expectations which the revolution of July 1830 gave birth to.

A proclamation had been circulated by the agents of the dutchess of Berri, in France, from Charles the X. enjoining upon the French to rally round the standard of Henry V. The Carlists were making great exertions to concentrate a force in *La Vendee*.

*In surveying, called eighty chains.

Great numbers of French people of rank have gone to England, in consequence of which the government enforces the strictest search at the ports. The coins struck in England, for circulation in France, amount to £500,000; 150 Carlists had been arrested in Paris.

The governments of England and France are about to apply themselves seriously to the adoption of measures for the suppression of the slave trade.

BELGIUM.

The Belgian deputation, charged with the definitive offer of the crown to prince Leopold, had arrived in London. In their passage through the towns of Flanders, they were every where enthusiastically received by the people.

RUSSIA AND POLAND.

The cholera is spreading over Europe. It had appeared at Twer, Jaroslavl, Nesbury, Novogorod and in the government of Witpsh. The defeat of general Rudiger is confirmed. The death of Constantine is considered a fortunate event in Poland.

SPAIN.

A Spanish army of 20,000 men has been ordered to the frontiers of Portugal.

INSURRECTION OF THE BLACKS.

We shall proceed to lay before the readers of the Register, all the additional particulars which have reached us since our last, on the subject of the insurrection in Southampton county, Virginia; and we are happy to inform them that, through the energetic measures adopted by the executive, and the prompt and efficient steps taken by the authorities of the neighboring counties in that state, those in North Carolina, and by the officers and men of the army and navy of the United States on the Norfolk station—the insurrection has been completely put down; all of the negroes engaged in it, with the exception of two or three, being either killed or captured. Those who had, up to the latest advices, eluded the vigilance of their pursuers could not much longer escape, and have ere this doubtless been taken. There seems to be some discrepancies in the several accounts as to the origin or object of this bloody movement among the blacks. A letter from Winton, N. C. in the vicinity of the disaffected district, states that from the best information then in possession of the writer, three white men and four slaves, the latter the property of a gentleman by the name of Travers, rose upon him about an hour before day on Monday morning, the 22d ult. and killed him and every other white member of his family—thereupon proceeded to the residence of Mrs. Catharine Whitehead, a lady of wealth, and murdered her and all the white members of her family, in all seven persons. The cries of Mrs. Whitehead and her family brought to their assistance a near neighbor, Mr. Williams, who found Mrs. W. butchered with an axe, her son, (a minister of the gospel), with his head severed from his body, and a young lad lying dead in the fire place of her chamber. Mr. Williams immediately returned to his own dwelling; but before he reached it he met one of his negro boys coming with the horrible tidings, that the fiends had been there, and murdered his wife and children in his absence!

The Norfolk Herald states that it originated in the party of whites and blacks alluded to above—that they were mere marauders bent on plunder; but having steeped their hands in human sacrifice, became infuriated, and like blood hounds, pursued the game of murder, in mere wanton sport. As they followed their desolating career from family to family, they pressed all the negro men whom they found into their ranks, and thus accumulated a force of between one and two hundred.

A more recent account from Winton, N. C. states that the insurrection commenced with, and was arranged by, four negro preachers, who had been permitted to hold their meetings by day and by night, and who sought these opportunities to poison the minds of the slaves. A slave of Mrs. Whitehead, who was one of these preachers, commanded the blacks at Parker's old fields, where one of the skirmishes occurred; and after being repulsed he returned home and pleaded that he had been pressed into the ranks of the negroes; but being recognised by some gentleman from Southampton, as the leader of the gang mentioned above, a party of ten

mounted militiamen from North Carolina, who repaired to Mrs. Whitehead's to view the havoc which these wretches had made, on being assured of the fact, fired on him, and he fell dead near the remains of his mistress.

The writer of the *Winton* letter states that the number of victims had been reduced to 55, many heretofore supposed to have been murdered, being secreted in the woods and subsequently found.

The troops from Norfolk, Richmond, fortress Monroe, and other remote places, had returned to their respective residences. The marines and seamen under commodore Elliot, from the U. S. ships *Natchez* and *Warren*, had also returned to their vessels. The leaders of the insurrectionary band were nearly all taken prisoners or killed. The general feeling and conduct of the slaves in the neighboring states, seem to indicate that there was no concert. A full disclosure had been made by a negro by the name of Tom, who was badly wounded and expected to die; he, however, is on the recovery. The editor of the *Norfolk Herald*, who is a very discreet and sound judging gentleman, inclines to the opinion that the insurrection did not rest, on any previous combination, and maintains that this is evident from the small number of adherents which the ring-leaders, with all their threats and persuasions, were enabled to enlist in their cause. The slaves, he affirms, throughout the country are generally well affected and even faithful to their masters. He relates the following instance of fidelity in the slaves of one gentleman whose house was attacked; remarks that he gives the story as it was related to him, and it true, "Great indeed will be the desert of those noble hearted Africans."

"A pleasing instance of this is said to have occurred while the black demons of slaughter were executing their horrid work. Before they had received any considerable increase, and in the early stage of their butcheries, they approached the dwelling of Dr. Mount, with the fell purpose of murdering him and his family, when they were met by the doctor's own servants, who resolutely opposed their entrance, declaring that they would lose every drop of blood in defence of their master and family. The brigands still persisting, a battle ensued in which they were finally routed, leaving one of their party and two horses behind them."

On the night of the 23d ult. the Southampton militia had three skirmishes with a gang of from 40 to 50 negroes, the latter retreating each time. In one account it is stated, that one of the militia, of the name of Pope, was killed, in another that the whites sustained no loss whatever. The negroes made three attempts to cross the bridge at Belfield, but were repulsed each time by a party of militia who were stationed on the opposite side with a piece of artillery. A party of 4 militiamen, who had been sent to reconnoitre the blacks, came up with a party of about 20 of them, and after a sharp engagement, succeeded in killing three or four, and taking several prisoners, when the remainder fled. The great object of the negroes, after the rallying of the militia, appeared to be to reach the Diamond Swamp, but such was the vigilance of the former that nearly every one was either shot down or captured. Many of the blacks were well mounted, and armed with bid and other guns, and axes. The roads were strewn with the corpses of the negroes killed, and up to the 25th ult. neither these nor the corpses of the unfortunate whites had been buried; arrangements were, however, making for their interment.

The different accounts are conflicting as to the number of negroes killed, and, indeed, under the circumstances in which they have been written, it is not to be wondered that they should be so.

We gather from letters published in the *Richmond Whig* of the 29th ultimo, the following statements. A letter from the senior editor of that paper, who is on the spot, states that the number of the insurrectionary negroes had been greatly exaggerated, but that it was hardly within the power of rumor itself to exaggerate their atrocities: whole families, father, mother, daughters, sons, sucking babes and school children, were butchered by them, thrown into heaps, and left to be devoured by hogs and dogs, or to putrify on the spot. At Mr. Levi Wallers, his wife and ten school children were murdered—he himself was absent, but approaching while

the dreadful scene was acting, was pursued and escaped with difficulty into a marsh. How, or with whom, the insurrection originated, is not certainly known. The prevalent belief is, that on Sunday the 14th ult. at Barnes' church, near the Cross Keys, the negroes who were observed to be disorderly, took offence at something, and that the plan was conceived and matured in the course of the week. At Mr. Wallers' one child escaped from the ruthless fangs of these monsters by concealing herself in the fire place, and another was found alive who was badly wounded and left for dead by them. He has accompanied his letter with a list of the killed, amounting to 62, but it is not yet ascertained to be correct. He thinks that the insurgents never exceeded 60, and that twelve well armed and resolute men were competent to have quelled them at any time.

Gen. Eppes, who is in command of the troops, reports under date of the 28th ult. that all the insurgents except Nat Turner, the leader, had either been taken or killed. On the 29th Gen. Broadnax reports to the governor that all was quiet and free from visible marauders; he thinks all have been killed or taken except four or five. He states that Nat, the ringleader, who calls himself general, and pretends to be a Baptist preacher, declares to his comrades that he is commissioned by Jesus Christ, and proceeds under his inspired directions—that the late singular appearance of the sun was the sign for him—he is not taken, and the account of his being killed at the affair of the bridge is not correct. The general thinks "that there has existed no general concert among the slaves—circumstances impossible to have been feigned, demonstrate the entire ignorance on the subject of all the slaves in the counties around Southampton, among whom he has never known more perfect order and quiet to prevail." He believes "that at any time 20 resolute men could have put them down."

He compliments, in terms of strong approbation, "the admirable conduct and spirit of the militia, who have every where turned out with the utmost promptitude, and given the most unquestionable evidence of their ability, instantly and effectually to put down every such attempt. The families who had sought safety by flight had generally returned to their homes."

MR. BRANCH'S EXPOSITION.

From the Roanoke Advocate.

Enfield, August 22, 1831.

DEAR SIR: Of the causes which led to the dissolution of the late cabinet, I have never entertained a doubt. I will briefly state the reasons I have for my opinion, and leave you to judge of them as well or ill founded. Before the president had nominated major Eaton for the war department, and while the subject might be supposed to be under consideration, I took the liberty of stating to gen. Jackson candidly my reasons for believing the selection would be unpopular and unfortunate. I reminded the president that he knew I was the friend of major Eaton, and personally preferred him to either of the others proposed for his cabinet, and, of course, nothing I should say on the subject ought to be construed into an intention to injure him, (maj. Eaton), but, on the contrary, to save him from infinite vexation and annoyance, which, it was too plain, were in store for him, if he took a seat in the cabinet under the circumstances in which he was placed. The president admitted that charges had been made against the character of Mrs. Eaton, but insisted on it they were slanders, and that he ought not to notice them. I did not perceive at the time that he was hurt by the frankness or nature of my communication, though I afterwards learned that he had become offended with, and had discarded from his acquaintance several of his old and best friends who had used the like freedom of speech on this subject. My remonstrances, it is known, were without effect, and maj. Eaton was soon after formally appointed secretary of war. Before this was done, however, I made an appeal to major Eaton himself, and without reserve disclosed my apprehensions to him, adding that I did not pretend to intimate that there was the least truth in these reports, but, if utterly false, they would still have an effect on the president's peace and quiet, as he must know what use the opposition would make of it—that I believed it was impossible,

he could be willing to subject gen. Jackson to such a state of things—that he could not have forgotten how much gen. Jackson had been distressed by the calumnies and ill reports which had been formerly circulated about Mrs. Jackson:—that, since the death of that lady, those reports had subsided, and would soon be heard of no more:—that general Jackson knew the same kind of reports and imputations had prevailed with respect to Mrs. Eaton:—that if he (major Eaton) entered into the cabinet, the enemies of the president would not fail to make a handle of it, and thus revive, in the general's bosom, recollections which could not be but painful and distressing, and which could not fail to disturb the tranquility and usefulness of his administration. My remarks were received apparently with the same kindness and courtesy which characterized my manner; but they no doubt laid the foundation of that hostility which afterwards became active and unextinguishable. From the moment of major Eaton's appointment, gen. Jackson began to use his utmost efforts to bring Mrs. Eaton into public favor and distinction. He frequently spoke of the neglect Mrs. Eaton received when she attempted to appear at public places. He did not fail to intimate that it would be a most acceptable service rendered him, if the members of his cabinet would aid in promoting this object. I felt greatly embarrassed by such appeals to myself. It was impossible for me to comply with his wishes on this point, but it was, nevertheless, painful for me to say so. In any other matter [in] which I could, with a proper respect for myself and the feelings of my family, have complied with an intimation of his desire, no one would have done so more cheerfully than myself. By way of diverting his mind, I several times spoke of the difficulty he would experience in attempting to regulate the intercourse of the ladies that they were, in matters of that kind, uncontrollable and omnipotent; that he would find less difficulty in fighting over again the battle of New Orleans. Soon after it was ascertained that Mrs. Eaton could not be received into the society of the families of the members of the cabinet, major Eaton's conduct to me discovered an evident change in his friendly feelings, and became cold, formal and repulsive. I repeatedly threw myself into his company, and endeavored to assure him that I still had the most sincere desire to be on friendly terms with him, and wished for opportunities to convince him of the sincerity of my professions. In this course there was no guile—no view but that which my words fairly imported.

I most sincerely regretted the state of public feeling towards Mrs. Eaton, but it was not within my power to control or soften it. It was a sentiment resting in the breast of the female community of Washington city and the nation, which was not to be suppressed or obliterated. After this, major Eaton's enmity to myself became every day more and more apparent. I could hear frequently of declarations to this effect, and of his determination to be revenged. It is true these reports came to me circuitously and indirectly, but I could not, from circumstances, doubt their truth.

At length came the mission by col. Johnson, the substance of which has already been given to the public by Messrs. Ingham and Berrien. I will only add to their statements that I distinctly understood col. Johnson to say that he came to us from the president of the United States, authorized by him to hold the interviews; and unless our difficulties in reference to Mrs. Eaton could be adjusted, that Mr. Ingham, judge Berrien, and myself must expect to retire. When he closed his remarks, I well recollect rising from my seat, and with an earnestness of manner which the extraordinary character of the communication was so well calculated to produce, observed, among other things, that no man had a right to dictate to me and my family in their domestic relations, and that I would submit to no control of the kind. The colonel undertook to reason the matter with us, by observing that although it might be impracticable to establish intimate and social relations between our families and Mrs. Eaton, he could see no reason why she should not be invited to our large parties, to which every body was usually invited, Tom, Dick, Harry, &c. With this concession, he said, the president would be satisfied. We protested against the interference of the

president in any manner or form whatever, as it was a matter which did not belong to our official connexion with him. Soon after which, col. Johnson expressed his deep regret at this failure of his mission, and we separated.

I waited until Friday, a day having intervened, in expectation of hearing from the president, but receiving no message, I walked over, in hopes that an opportunity would offer to put an end to my unpleasant state of feeling. I found the president alone. He received me with his wonted courtesy, though evidently but ill at ease. In a few minutes the absorbing subject was introduced. Among other things, he spoke in strong language of the purity of Mrs. Eaton's character and the baseness of her slanderers, and presently mentioned a rumor which he said had been in circulation, of a combination to exclude her from society. Several parties, he said, had been recently given, among others, three by Mr. Ingham, judge Berrien, and myself, to which she had not been invited; and from this it was strongly inferred that we had combined to keep her out of society. I told him, that, so far as I was concerned, I believed my family were doing no more than the members of congress, the citizens of Washington, and visitors to the seat of government, had a right to expect from me as a member of his cabinet. It was certainly in accordance with universal custom; and that, as to a combination, I knew of none; that I could never acknowledge the right of any one to interfere in matters affecting the private and social arrangements of my family; and that, before I would be dictated to, or controlled, in such matters, I would abandon his cabinet, and was ready to do so whenever he desired it, and added several other strong remarks of a similar character. He assured me, in reply, that he did not desire it; that he was entirely satisfied with the manner in which I had discharged my official duty, and that he did not claim the right to dictate to us in our social relations, but that he felt himself bound to protect the family of major Eaton, as he would mine under similar circumstances. I then informed him that col. Johnson had formally announced to Mr. Ingham, judge Berrien, and myself, that it was his intention to remove us from office for the cause mentioned, and I had learned from Mr. L. the evening before, who derived his information from the colonel, that he had gone so far as to make temporary arrangements for the departments, viz: Mr. Dickens for the treasury, Mr. Kendall for the navy, and some one else for attorney general. This the president denied, and said he would send for colonel Johnson, and for that purpose called for a servant. When the servant came, I observed it was unnecessary to send for the colonel—his word was sufficient. Well, said he, if you are satisfied. I told him I was. We continued our conversation for some time. I attempted on that occasion, as I had done several times before, to convince him of the impropriety of his interfering at all in a question of such a delicate character, but his feelings were evidently too much enticed to weigh any reasons which might be offered.

I have already informed the public that no paper was presented to me, or read to me, or alluded to, having reference to the future conduct of the members of the cabinet. On this head I cannot be mistaken. I may add, that the president constantly insisted on the necessity of harmony among the members of the cabinet. Here I cannot refrain from a remark upon this injunction of the president, that major Eaton was the only dissatisfied member of the cabinet, the only one who carried complaints to the president of the conduct of others—the only one who employed his efforts to bring us to discredit with the public or the president. Among the others the utmost civility and sociability prevailed. No one annoyed him, (major Eaton), or made any effort to embarrass the operations of his department or in any manner acted towards him as inimical, or deficient in respect; and yet, we are to be punished for the discordances of the cabinet. Can any decision be more arbitrary and unjust?

A few days after this interview with the president, col. Johnson came into the navy department, and as he entered I rose to receive him. With his wonted cordi-

ality of manner he expressed his satisfaction at the pacific aspect of our relations. I observed to him, with a smile, that the president denied having authorised him to make such a communication as he had made. He goodhumoredly replied, "Let it pass; I presented it to you in the most favorable light;" and, as he was hurried, here the conversation ended.

About the same time I had an interview with major Eaton, in the presence of judge Berrien and major Barry. This was brought about by the president. Major Eaton, it seems, had complained to him, either directly or indirectly, that at a party given by my family, the last of September or the first of October, 1829, to the family of a most estimable friend and relation of mine, from Nashville, Tennessee, who was on a visit to Washington city, the rev. J. N. Campbell, then of that place, now of Albany, N. Y. was among the invited guests. The circumstances were these:—Mr. Campbell who had resided in the city for some years previous to gen. Jackson's inauguration, was the pastor of a church, and such was his reputation, that the president and three members of his cabinet, viz: Mr. Ingham, judge Berrien and myself, took pews, and became regular attendants at his church. In the course of his ministry he formed an acquaintance with my family, and occasionally visited them. He happened there while my friend Hill and his family were with us, contracted an acquaintance with them, and when the party alluded to was given, my daughters invited him. He attended, and took the liberty of carrying with him his friend Dr. Ely, of Philadelphia, who had just arrived. I knew no more of his being invited than of any other person who happened to be present. He was, however, not the less welcome on that account, nor was his friend Dr. Ely. Neither of these gentlemen require a recommendation where they reside. Mr. Campbell is known to be a learned, pious, and most eloquent divine. Some short time after the party, I heard very much to my surprise, that major Eaton and some of his partisans were enraged with me, and threatened my destruction, because Mr. Campbell and Dr. Ely were at my house as above stated. I could scarcely credit the report, until it was mentioned to me by the president, when I emphatically asked him who questioned my right to invite whom I pleased to my house. He testily observed, no person; but as there was some misunderstanding between major Eaton, Mrs. E. and Mr. Campbell, that he, (major E.) thought it evinced hostility to him. At the interview above alluded to, between major Eaton, judge Berrien, major Barry and myself, major Eaton mentioned the circumstances of Mr. Campbell and Dr. Ely being at my house on the occasion referred to. I asked major Eaton in the most frank and friendly manner, if this was his only complaint, and if he would be satisfied provided I convinced him that he was in error, assuring him at the same time, that he had no right to consider me as being under the influence of unfriendly feelings towards him; that, on the contrary, he ought to know, my personal attachment for him, before the cabinet was formed; and, further, if he would obtain the consent of his brother-in-law major Lewis, to read a confidential correspondence which passed between major L. and myself, in the winter of 1827 '28, on this *disturbing subject*, he would then be convinced of the disinterestedness and correctness of my course, and of its entire conformity to that friendship and good will which had so long subsisted between us. I might have gone further and said, that major Lewis, in the winter of 1827 '28, when there could be no unworthy motive to mislead either of us, considered Mrs. Eaton an unsafe associate for his daughter, although he was now endeavoring to induce gen. Jackson to drive me out of the cabinet, because I would not compel my daughters to associate with her. Major Eaton would not say whether he would be satisfied or not, and the explanation was withheld. But as we were about to separate, he offered me his hand in a more cordial manner than he had done for some months previous. I have no doubt that major Eaton, in tendering his resignation, stipulated for the dismissal of the three offensive members of the cabinet.

Mr. Van Buren, also, I have reasons to believe, urged the adoption of this measure. This gentleman had discovered that the three members of the cabinet, (af-

(terwards ejected), disdained to become tools to subvert his ambitious aspirations, and he determined to leave them as little power to defeat his orations as possible. It is said to be a part of his character to tolerate politically to one, who will not enter heart and soul into measures for promoting his own aggrandizement: He had become latterly the almost sole confident and adviser of the president. How he obtained this influence might be a subject of curious and entertaining inquiry. But I shall not pursue it. I may add, however, that amongst the means employed, were the most devoted and assiduous attention to Mrs. Eaton, and unceasing efforts to bring her into notice, especially with the families of the foreign ministers.

Finally, when the president found that his efforts to introduce Mrs. Eaton into society proved abortive, he became every day, less communicative, and more and more formal in his hospitalities, until, there could be no doubt, that, as to myself, an unfriendly influence had obtained an ascendancy in his private councils, and the result shows that he had determined to sacrifice me to gratify the feelings of those whom I had offended, as stated above.

I may at some future time add to these views. At present I take my leave, with assurances of great respect and esteem. Yours, &c. JOHN BRANCH.

To Edmund B. Freeman, esq. Halifax town.

P. S. I have not considered it necessary to notice a charge made in the *Globe*, against Judge Berrien, of suppressing a material part of a letter which I wrote to him, and my substituting another in its stead. If my person has been misled by this bold accusation of the editor of the *Globe*, and is desirous of obtaining correct information, he has my permission to read the whole letter, although it was not intended to be made public.

POLITICAL ITEMS.

The London Atlas gives a brief notice of the dissolution of our late cabinet, and condenses the whole subject into a very small compass, thus: "The cabinet of the United States is in the fever of disunion. The president had two favorite secretaries, it appears, and of whom he nothing thought. To get rid of the two last he pretended to discharge the first."

The *Charleston Mercury* of Aug. 1, says—"We commence to-day, and shall conclude to-morrow, the exposition of Mr. Berrien, the late attorney general of the United States, in relation to the causes which produced the dissensions and the dissolution of the late cabinet. It presents a humiliating series of facts well calculated to humble us at home, and to disprove us abroad, and we are constrained painfully to say, to bring the administration of our government into contemnt and reproach. The circumstances thus disclosed are the natural and bitter fruits of the existence of a secret cabal, destitute of all capacity and virtue, owing its origin to intrigue, corruption and favoritism, and exercising, without a just responsibility, all the high functions of government. Mr. Berrien, we conceive, as a man of honor, having a just regard (as he very correctly avows) to the best inheritance he can leave his children, (an unsullied reputation) was compelled by the overruling necessities of self defence to make this disclosure. He has accomplished a most painful task in a manner highly creditable to his ability, integrity, and honor. His narrative bears the stamp not only of the most scrupulous veracity but of the most cautious accuracy of memory, and is sustained throughout by a moderation, dignity, and forbearance, which harmonise, with uncommon felicity, with the elegance, grace, and power, with which, as a literary effort, his communication has been conceived and executed. We refrain, however, from further comment; nor will we longer detain our readers from a portion of our history which they cannot fail to peruse with intense and mortifying interest.

Delegates are being appointed in Pennsylvania to attend the national republican convention at Baltimore.

The "*Long Island Patriot*" says—"The hon. Martin Van Buren, our envoy extraordinary and minister plenipotentiary to the court of St. James, took his departure for England on Tuesday last in the packet ship

president. He was attended to the ship by a large number of his friends, and much feeling was manifested by them on parting with him, and consigning so much of worth and talent to the mercy of the elements. He takes with him the sympathies and kind feelings of the people; and if fate should decree him a deep grave in the bosom of the ocean, the affections and the tendered sympathies of an American republic will be buried with him!"

From the *Washington Globe*. The following extract is taken from the speech of Mr. Mitchell, delivered at the 4th of July celebration, at Charleston:

"Do not mistake me when I speak thus of the Carolina doctrines. I am, and have ever been, through good report and through evil report, without change or deviation, openly and above board, an advocate of state rights, as understood and explained by Jefferson and Madison. I was proud to be a humble disciple in that school when the majority of the delegation with which I then served, denounced them as radical, and Calhoun and Mr. Duffie stigmatised them as the worst and most stupid of all heresies."

From this it appears that Mr. Calhoun and Mr. McDuffie once stigmatised the Virginia and Kentucky doctrines, as expounded in the resolutions written by Mr. Jefferson and Mr. Madison, in vindication of state rights. They now seize on the principles of these resolutions, and seek by a strained construction to make them broad enough for a basis to the new doctrine of nullification. In the introductory remarks to Mr. McDuffie's pamphlet, written to sustain the latitudinarian and consolidating principles then avowed by Mr. Calhoun and himself, the voice which Virginia raised in favor of state rights, is called "the toxin of state sovereignty; a note which has been sounded in the ancient dominion with such an ill-omened blast."

Mr. McDuffie, in these essays, which were written in 1821, not only gives his own faith, but speaks out that of his friend, Mr. Calhoun. He says—"He (Mr. Calhoun) was from the first, a decided advocate of the navy, the bank, internal improvements, internal taxes when necessary, and liberal principles in construing the constitution for great, useful and safe national purposes."

The *Quebec Gazette* says—"The United States papers are again filled with further correspondence respecting the resignation of the American cabinet. Mr. Berrien, late attorney general, has published notes of an interview with col. Johnson, who acted as mutual friend of the president and the members who resigned, in which the first cause of difference is represented with much detail to be the reputed private conduct of Mrs. Eaton, and in which president Jackson is exhibited as a whimsical, violently passionate old gentleman, insisting with extreme arrogance on subjects altogether out of decorum and common behavior. Whatever may be the truth, and it appears difficult to ascertain it, private or party feeling appears to have deprived the public men in the administration of the affairs of that country of all the tact for which they were celebrated."

At a late meeting in South Carolina, in which Judge Smith, late a senator of the United States, took a leading part, the following preamble and resolution was adopted:

And whereas, the time is fast approaching when the people of these United States will be called upon to re-elect the chief executive magistrate, over our free and happy nation, and as we believe that it is a subject of magnitude and importance to every individual member of our government, that this right and power should be exercised in a manner becoming freemen and republicans, that the voice of the people should be obeyed and their wishes respected, and believing, as we do, that there is a party formed within our state who will pursue measures in relation to this matter contrary to our wishes, and, as we think, in direct opposition to the interests of the great body of the people of South Carolina, that the claim of an individual to that high, distinguished and responsible station, will be urged before the people, an individual whose political course we do not admire, whose political doctrines and opinions we cannot approve, and whose policy, if adopted, would bring ruin and destruction on our happy country; deeply impressed with the importance of these subjects, we, the citizens of Spar-

tanburgh district, claim it as our right, and feel it our duty to declare, *First*, That never in the course of our political history has there been a crisis of more magnitude and importance; nor one which required so much firmness, honesty and political integrity in our rulers, as the present. *Second*, That though we cannot approve of some of the measures which general Jackson's administration has originated, yet upon the whole, we cordially approve of his nomination for another presidential term, and will use our best endeavors to secure his re-election.

Therefore be it *Resolved*, That gen. Jackson is the choice of the people of this district.

A planter of easy circumstances, living snugly in the pine land near Poconaligo, has made so good a toast as to be thought worthy of publication. Here it is:—"The constitution of the United States—It has received a severe wound which is full of proud flesh—may the state doctors cut it out with the knife of nullification, and, should they despair of their patient and bleeding be thought necessary, let them use the lancet." That is, in plain language, let the state nollify the tariff law, and if that won't do, draw the sword. It will all come out at last. This sturdy old inhabitant of the pine land knows no disguise—he does not understand saying and unsaying in a breath. He thinks nullification is just what it is, something in the shape of a knife or a lancet. In return we offer him another sentiment:—*The constitution of the United States—It has received a wound which is full of proud flesh—call in the quick doctors of nullification, and they will soon convert a curable wound into downright mortification.*

[Georgetown, (S. C.) Union.

From the National Journal. In a somewhat mystical article concerning Mr. Mason, who has been appointed secretary of the Michigan Territory, the Globe of Monday contends that he ought not to be removed from office, unless he should commit some act of misconduct, and adds—

"But tell them, it would evince an utter disregard of the plainest dictates of justice, to remove from office a person who has done nothing to deserve it, merely because apprehension was entertained or affected, that he would do wrong."

Nothing can be more unquestionable than the general proposition here laid down. The only surprising circumstance about it is, that it appears in the official organ of the present administration. Looking at it in this view, and reflecting on the removals by wholesale, which general Jackson has made of persons who had "done nothing to deserve" them, we most regard the passage cited as a public confession, by general Jackson, that he has "evinced an utter disregard of the plainest dictates of justice." After such a declaration, his formal renunciation of all pretensions to a re-election may be daily expected.

The Augusta Courier of the 15th inst. says—"We are almost glad Mr. Calhoun is a nullifier. It has made Georgia the most thorough-going state against nullification, in the whole union."

NEW YORK NATIONAL INSTITUTE.

Address of gen. Tallmadge, delivered before the American Institute of the city of New York, at Clinton Hall August, 1831.

New York, August 12, 1831.

Sir—We have been appointed a committee of the American Institute to request for publication a copy of the address delivered by you on the 11th inst, on taking your seat as president of that body.

In making this communication, we cannot avoid expressing our gratification at the sentiments you advanced on that occasion, with so much truth and feeling, and at the course which you pointed out to the institute as most conducive to unanimity and success in its operations. We have the honor to be, sir, your most obedient servants,

H. M. WESTERN,
JAMES LYNCH,
DAVID GRAHAM, jr.

Gen. James Tallmadge.

New York, August 12, 1831.

Gentlemen—In compliance with your request, a copy of my remarks addressed to the American Institute, is herewith enclosed. I am, with respect, yours, &c.

JAMES TALLMADGE.
H. M. Western, James Lynch, David Graham, jr. esqs. committee, &c.

GENTLEMEN—Allow me to express to you the obligation which I feel for the honor you have conferred, in selecting me for the presiding officer of "The American Institute of the city of New York."

Permit me also to express my gratification for the very complimentary manner in which your committee communicated to me the information of my election.

This distinguished mark of your favor was unexpected by me, and being conferred by your own voluntary act, considerably enhances the value of the distinction. It commands my utmost efforts to perform the duties of the station—while all my feelings are awakened to reciprocate your generous kindness.

Your committee were pleased to suggest a belief that my acceptance of the place of presiding officer of the American Institute would be beneficial to the purposes of the institute, and especially useful in securing harmony among its members. These considerations have induced me to yield a cheerful compliance with your request.

The act of the legislature declares you were incorporated "for the purpose of encouraging and promoting domestic industry, in this state, and in the United States, in agriculture, commerce, manufactures, and the arts. In thus declaring the purpose of this incorporation, the legislature have explicitly defined your powers, and marked out your duties. Any purpose not within the purview of this incorporation, must consequently here be illegal and improper. Allow me to disclaim for myself, and according to my hope and belief for the members of this institute, all intention to pervert its purposes to political objects; and further, to avow that any such object cannot have my participation. The legitimate purpose of this institute is so noble, and so important, it must not be degraded as an instrument for other ends.

The sentiments entertained by this association have long been cherished by me; and my efforts on various public occasions have heretofore been devoted to their support.

It is matter of considerable gratification that I am enabled to come among you as a practical agriculturist.

In the theory of expanded reason, of free interchange of the products of different countries, would naturally become the principle of national intercourse, and the basis of commercial regulations. It has ever been the enlightened policy of our government to hold out to other countries a just reciprocity in commercial regulations. But narrow views and objects of selfish aggrandizement, have rejected the offers of such a system of liberal policy, and thereby compelled our government to resort to countervailing duties as a just encouragement to the domestic labor of the country, and as a mean of national defence. It is therefore, on our part, a measure of necessity, not of choice. Hence the inconsiderate folly of those who prate about the abstract propositions of "free trade," and "the burthening the many for the benefit of the few." But there is a great consolation in the truth, demonstrated by experience, that such has been found the irrepressible spirit of the American character, and the productive genius of American industry, that protected articles have been uniformly supplied to the consumer at a cheaper rate.

It is a balm of consolation and will be a circumstance considerably in mitigation of the imaginary violation of rights, that the system of encouragement of domestic labor, has provided articles of home production at a reduced price to the consumer, while it has exhibited our country in a condition of improvement and prosperity without a parallel in the annals of mankind.

Had the early protection which was given to cotton, and cotton fabrics, and which has reduced their price to less than one half to the consumer, been at the same time extended to wool and woollens, it would have produced some arrangement by which our ships could have taken out our own products as an equivalent for foreign merchandise, or, as a consequence, our hills would long

since have been animated with abundant flocks; the shuttle and the loom would have resounded in the valleys; agriculture would have found a ready market for its abundant products, and commercial enterprise would have been put in greater requisition to supply the materials for manufacture, and bear the products to foreign markets.

This system of encouragement and protection, and which sprung from necessity as a measure of self defence, has been recognized and adopted by every administration since the adoption of our constitution; and has now become the settled policy of our country. It may be fairly assumed that no administration can heretofore abandon it: While a just and proper modification of the system and the application of its details to the ever-varying times and peculiar circumstances of the country, has become a necessary duty of the statesman and the patriot. *They will always remember what enemies realize; that every manufactory erected in our land, is a fortress in defence of agriculture, and in support of commerce.*

When we read of the reduction of wages, and the consequent distress and risings of the populace of the manufacturing towns in England, and of their suppression by military force, we do but read of the injuries inflicted abroad, by the encouragement of our own domestic labor.

When we wipe the tear from the eye of sympathy, and cast a look upon the condition of oppressed and afflicted Ireland, we shudder with emotions of horror and pity, to learn that there are one hundred and fifty thousand inhabitants in the single county of Mayo, now suffering by famine. In another county more than three thousand human beings encamped on the sea shore gathering sea weed for food; while their criminal courts are busied in the prosecution of necessitous beings for the crime of endeavoring to sustain life in themselves, and their famishing offspring, by the "bleeding of cattle!" The fountains of our grief are not even dried up by the reflection that those are the subjects of that government which refuse to receive our bread stuffs on equal terms for their manufactures, while they exact an annual income of about thirteen millions of dollars for taxes upon the admitted importation of American tobacco.

Under circumstances of such complicated error and abuse, there is no cause to envy the feelings of that man blessed with an American birth, who can clamor against his own government, about "free trade," and by withholding just encouragement and protection to domestic industry reduce the freemen of this country, to an unequal competition with the mendicant mobs of Europe, suffering *without liberty and without bread.*

The encouragement of domestic production should command the attention, and will be the sphere of the more immediate usefulness of this institute. It will be my endeavor, and my happiness, at all times to aid your efforts in a purpose so commendable, and so replete with public benefit.

LEGISLATURE OF LOUISIANA.

The following memorial presented by Mr. Porter, of the house of representatives of the state of Louisiana, on the part of the joint committee, appointed to draft a memorial and remonstrance to congress, against the repeal of the duties on foreign brown sugars imported into the United States, was unanimously adopted by both houses of the legislature.

To the senate and house of representatives of the United States of America in congress assembled:—

The general assembly of the state of Louisiana, have learned with considerable surprise, and regret, and some alarm, that a resolution, having for its object to reduce the duty on foreign brown sugar, has been considered during the present session of congress, by a majority of the house of representatives as a proper subject of inquiry. With the motives of this resolution, the people of Louisiana have no concern, but its effects, should it ripen into a law, cannot be mistaken. It will give a fatal blow to their prosperity. It consequently involves a question, to them of the most perilous import. Nothing less than the destruction of half the capital of the state, and the total ruin of a large majority of those who have embarked their fortunes in the cultivation of cane,

and the manufacture of sugar. They cannot believe that a measure fraught with so much injustice to them, and bringing with it no corresponding benefit to the other sections of the union, will receive the sanction of your honorable body. But the number of votes assenting to the proposed inquiry shows, that a great misapprehension must exist in the minds of many members of congress on this subject. To produce sounder views in relation to it, is one object of this memorial.—And if the general assembly of Louisiana fail in the attempt, *they have another.* They desire at present a solemn remonstrance against the injustice threatened to the state they represent. This is the only mode of defence open to them. Should the proposed inquiry be followed up by a law, corresponding in character and spirit, the people of this state have not the power to resist it, and their devotion and attachment to the union are too great to permit such a measure, even could they do so with success. This true exposition of their feelings will not, they hope, diminish the weight of their remonstrance. They trust that the time is distant, when concessions will be made to threats and violence; and justice refused to those, who address the councils of the union, in the language of respect and affection. The general assembly cannot refrain from the expression of their astonishment that the manufacture of sugar should be singled out as the object of such persevering hostility in congress, while other objects of national industry, protected by duties, are left unnoticed, or assailed with less zeal. They know nothing of the circumstances by which this branch of industry was first created in the United States, and they are unequipped with any thing in the influence it exercises on the comfort or wealth of their sister states which justifies this invidious distinction. They trust that there is not, nor has been, any thing in the conduct of the people of Louisiana which authorizes it. They have been true to the union, and to their duties at all times; in peace, and in war. To those unacquainted with her history, it might appear as if something therein had rendered Louisiana obnoxious to her sister states. A stranger would find it otherwise difficult to account for a proposed legislation which would be at once partial, and oppressive: One which contemplates leaving them subject to the duties imposed on all other articles of home manufacture, while it deprives them of a market for the productions of their own soil; or if it has not precisely that effect, at least expose them to a ruinous competition with the foreigner in selling, and refuses them the benefit of that foreigner's competition with the home manufacturer in those objects they are compelled to purchase.

The general assembly are not to be understood in these remarks, as complaining of the duties by which other branches of industry are protected; but it is proper to recall to the recollection of congress, the causes which first induced the inhabitants of Louisiana, to enter on the cultivation of sugar cane. A slight historical retrospect, will prove that it was in a great measure, an involuntary direction of their industry. The general government, if it did not compel them to the pursuit, invited them to attempt it. When congress first resorted to this production as a means of revenue, the capital of the planter on the banks of the Mississippi, was principally employed in the cultivation of maize, rice and cotton, which afforded him a fair profit, without the necessity of incurring heavy debts to construct the establishments and provide the machinery requisite to the cultivation and manufacture of the cane. The high price of sugar in the West India islands, at that time, increased by the duty imposed on it, coming into the United States, offered to our citizens a temptation to turn their labor into other channels. A few attempts were made. They were not very successful, but were sufficient to induce a hope that in future time, with increased experience, and more capital, something beneficial might be accomplished. From every quarter of the union, this attempt to render the republic independent of foreign nations, in an article now become a necessary of life, was hailed with satisfaction, and the planter, deluded by the apparent universal acquiescence in the policy of encouraging him, entered more largely into business, and incurred heavy debts to extend the culture. Until the close of the late war, however, [and for some time after], the cultivation was comparatively limited, and had the government then

changed its policy, no extensive injury would have been inflicted on the state. But at that time the subject was taken up by congress, and instead of diminishing the duty, they augmented it. They substituted the principle of protection, to the wants of the exchequer; and expressly embodied the article of sugar among the objects to which it should be applied. A conviction was thus forced on the minds of all men in this section of the union, that higher and more extended views than the mere collection of revenue, entered into the consideration of the people of the United States. It was believed here, that it was regarded by our sister states, as a matter of great national policy to raise the article within ourselves, and until the time should come when we could successfully compete with more favored regions, in the production of sugar, the home market would be secured to us. Under the conviction thus produced by opinions which the people of Louisiana did not, and could not, control, hundreds embarked their whole fortunes in the business. Capital to the amount of about 6,000,000 dollars, it is believed, is now due by planters; and for which their property is under mortgage. Thus they are burdened with debts to an amount which, under the most favorable circumstances, it will take years to discharge; and all are placed in a situation which forbids a change of pursuit, without a loss, arising from the adaptation of their buildings, machinery and plantations to the culture of cane, amounting to nearly half their capital.

It will, therefore, not appear surprising to congress, that the people of this state should feel deeply sensible to the attempt now made to bring ruin upon them, for following up the views, and adopting the policy which their fellow citizens of the other states pointed out to them. *The destruction of a vested right to property, would not be a more direct violation of good faith; for it is conceived, there is little or no difference in taking from the citizen that which he has acquired under the laws, and made his, or in legislating in such a manner as tempts him to embark in expensive speculations, by an implied promise of protection, and then, by a sudden change of policy, not merely depriving him of the profit he hoped to gain, but destroying the capital, which, through the faith of government, he embarked in the enterprise.*

The general assembly understands that the most exaggerated ideas pervade the minds of the citizens of other sections of the union, respecting the profits which the sugar planters of Louisiana realize from the cultivation of the soil. It the misapprehensions which prevail on this subject, be as extensive as there is reason to believe, it affords some explanation of the vote of those who have sought to reduce these profits. This assembly can with great truth, however, assure your honorable body, that all ideas of this kind, which proceed on the assumption that the sugar plantations of Louisiana have yielded, for the last fifteen years, or can be expected to yield for the same space hereafter, more than six per cent. profit on the capital employed, are fallacious and unsound. Some of them, with soil peculiarly adapted to the culture, fortunately located, and skillfully managed, do give more. Others not possessing such advantages, afford less. Nearly all, in seasons well adapted for raising and manufacturing the cane, give a large profit. Last season the crop was good, and the profit fair. The year preceding, a great number did not pay more than their expenses; some not so much. There is little probability that the future will differ from the past. All agricultural pursuits are uncertain, because they depend on the seasons for success. But when the productions of the tropics are attempted to be forced in latitudes not congenial to them, this uncertainty is cruelly increased. The planter of Louisiana has not only to run the same risks with other cultivators, viz: too much rain, or drought—but he is exposed to the casualty of losing by premature frosts, tornadoes, and crevasses, the whole fruits of his labor. After the agricultural labors of the year are finished, a mild autumn and winter, by which the cane can stand uninjured in the field, while the manufacture of it into sugar is progressing, is indispensable to the planter's complete success. An early frost last year, in a single night, diminished the crop probably one-fifth. This example is not a so-

litary one: for the last twenty years, it is a correct statement of what has occurred two years in five; and in many this injury has been more extensive than that of last year.

The exaggerated statements which have been circulated on this subject, the legislature are sorry to say, have sometimes originated at home; but the source of these delusions is well understood here, and excites no other feeling but pity for the authors, and regret for the unhappy influence their misstatements exercise on our interests abroad. They can be almost invariably traced to one cause; the cupidity of speculators, who are anxious to attract purchasers for their lands. The information which has been furnished the preceding year, from various parishes of this state, in reply to the circular of the secretary of the treasury, gives a faithful account of the profits made on the sugar estates; and carries with it internal evidence of the truth. It is however unnecessary to produce detailed statements and arithmetical calculations, to show the unfounded character of the representations of the profits of sugar estates. *The single reflection that Louisiana has an extent of soil, and a slave population capable of producing double the quantity of sugar she now does, and that she does not do it, is conclusive!* It cannot be believed for one moment, that if the sugar planters had been making the immense profits spoken of for the last twenty years, that the cotton planter would not have changed his pursuits, to participate in the more lucrative culture of his neighbor. Not only the cotton planters of our own state, but the extensive slave holders of the adjoining states, would have rushed into this business. No one will imagine that they would have been content all this time with the moderate return yielded by their cotton farms, with the prospect before their eyes of inordinate profits made by those following a different agriculture.

But if the condition of Louisiana was as flattering as those who are pleased to think so, state, far from stirring up feelings of envy and exciting a disposition to reduce her profits, it should only produce pleasure in the mind of the statesman, because he cannot but see in it an increase of national wealth, by which the whole union is benefitted. An opinion, the general assembly understand, is beginning to be cherished in certain quarters, that in looking at the operations of industry in any quarter of the union, it is not to be favored, or rather it is not to be discouraged, if all parts of the republic do not share alike in it. With such a sentiment, the state of Louisiana has no feeling in common. She believes that whatever benefits a part, promotes the interest of the whole, unless the other states are materially injured by the duty on sugar; she thinks it is susceptible of satisfactory proof. She rejoices as much in whatever promotes the wealth of Massachusetts, Pennsylvania, Virginia, South Carolina, or any other of her sisters, as she would at the prosperity of any portion of herself. Connected with the other parts of the nation, by ties which she hopes may be enduring, she feels that whatever adds to the glory, the wealth, or the strength of the union, and because while it lasts, no increase of prosperity to any one portion of it, can fail to be shared by her, either directly or indirectly.

The general assembly are however unwilling to trust alone to the influence of these sentiments on others. They think they can satisfactorily establish that the industry of their sister states, derives as much support from the duties on sugar, as Louisiana does. They greatly mistake the facts, and they reason most inaccurately from the premises, if there be any branch of trade in the world, in which the benefits of a home market, in all circumstances which render a home market valuable, can be more distinctly traced, or more clearly proved. It is literally (not metaphorically) true, that there is not an acre of land in Louisiana, brought into the cultivation of cane, which does not put in motion an additional plough, shuttle, or hammer, in some other part of the union; and that does not bring more land into cultivation in the western states. We buy every thing but sugar; the farming utensils employed in the cultivation of the soil; the horses and mules that work on it; the food for ourselves, slaves and cattle; the clothing for our negroes; the machinery for our manufactories; the

time used in building our houses; the lumber used in their construction and even the shingles that cover them, are in a great proportion brought from abroad. Three-fifths of the products of our soil, go for the purchase of these and other articles which we need not enumerate; and it cannot be doubted that the makers and producers of these, derive as much profit on the capital they employ, as the planters of Louisiana do on the sugar they give in exchange.

This great and beneficial interchange of commodities, has grown entirely out of the sugar produced in this state. With the exception of machinery, there is not one of the articles already mentioned, Louisiana could not prepare for herself. She formerly raised her food, vegetable and animal, in abundance; and all working animals necessary for her own use. Her domestic manufactures supplied with the coarser articles of clothing, to the whole extent of her wants, and she purchased little. She could still do so; indeed, such is the happy position of these states, both as it relates to soil and climate, that there is scarcely one in the union that could not produce enough of the necessities of life, and live without intercourse of a commercial kind, with the other states, if it were desirable for communities to seek nothing further than the bare supply of animal existence. But this assembly thinks that such a state of things is not to be sought for, nor likely to be attained. The land and climate of Louisiana are better adapted to the culture of cane than the production of bread-stuffs, and she raises it. The western states on the contrary, are admirably suited to the growing of all kinds of grain. Each finds its reward in raising those articles which its soil produces in the greatest abundance, and mutually interchanging them. The general assembly are fully convinced that, if congress should destroy the trade by which Louisiana sells to the western states, sugar to the amount of three millions of dollars annually, and buys in return, corn, oats, pork, bacon, horses, mules, lumber, lime, whiskey and machinery, to the same, or a greater amount, that she would inflict a lasting injury on the prosperity of both. They dare to affirm that their sister states on the waters of the Mississippi would be the greatest sufferers. Louisiana could raise provisions for herself, but sugar and molasses, now become almost necessities of life, the western states could not dispense with, except by a serious sacrifice of their comforts. If they purchase them, they would be compelled to do so, without the home market by which they are now enabled to pay for them; and whether a small diminution in the price of sugar, [supposing such a diminution to ensue] would compensate for the complete destruction of this home market, is a question, which those most interested in it, can best answer.

The same course of reasoning, with some slight modifications, applies to our trade with the northern and middle states; they have in us, a sure and steady market for a variety of their productions, which is constantly increasing, in which they have no foreign competition, and in which they are secure against the caprice and injustice of foreign regulations, which so often affect those concerned in the shipping trade. The value of the productions of the northern and middle states, brought here annually, is not less than two millions of dollars.

Although Louisiana does not buy from the southern states, articles produced by their industry, as she does from the other portions of the union, still this assembly believes that there is no section of the United States more directly interested than the slave holding states are, in the maintenance of the duty on sugar; or who, this day, reap a richer harvest from it. It is the production of this article in Louisiana, which gives the actual value to slave property. The price of those brought here annually, is probably not much less than two millions of dollars; estimating them at the first cost in Virginia, Maryland, and the other states where they are purchased. *If this money was withdrawn from the market, the value of the slave could have no other standard than the worth of his labor at home.* How much that would be, this assembly cannot say, but if correctly informed, it would not be half that which is now given to that property. This portion of the union, if she succeeds in forcing Louisiana from the cultivation of the cane, will find too late, that sugar will be wanted as formerly, and the means of paying for it will be greatly diminished, when the large

amount of money now furnished by Louisiana shall be withdrawn.

The general assembly has not dwelt on these facts, nor entered into this reasoning, for the purpose of instructing other states as to their interests. They are, no doubt, fully competent to judge for themselves. But when Louisiana sees exaggerated accounts of her prosperity are perpetually sounded in the public ear, and jealousies attempted to be excited by representing the duty on sugar as a tax laid on other portions of the union, for her benefit, she is compelled to remind them of the real state of things. If a fair profit be derived from the cultivation of the cane, a small portion of it remains with her; the larger part goes to reward the industry of those who supply her with food, clothing and machinery; or if both derive profit from the trade, and the slaves purchased, it only proves the value of a home market, from which all parties derive benefit, and the nation at the same time draws wealth and strength.

And after all, it is not believed that the duties laid on foreign sugars, augments the price to the consumer in the United States; or if at all, by no means to the amount of that duty. It is a great mistake to suppose that the sugar of the West India islands, could be afforded at present prices, if the competition created by the productions of Louisiana, ceased in the market. That competition withdrawn, the foreign article would rise to the level, to which all objects of commerce reach, viz: that produced by the cost of production, and the mutual wants of the seller and buyer. The price has fallen one half since Louisiana commenced making sugar. In the British West India islands, according to the information possessed, her sugar sells nearly as high as it does in New Orleans. Large capital, as it is well known, has been invested in Porto Rico and Cuba, in this manufacture, with a view to the United States market. Our domestic supply, far exceeding their calculation, leaves them with an unexpected surplus on hand, which they are compelled to dispose of at any price. This market restored to them, the commodity would in a very short period rise to its true value. It is clear that no safe reliance can be placed on obtaining for any length of time, an article of commerce below the price at which it can be produced.

The general assembly have also another representation to make of the evil Louisiana sustains from the culture of cane in those islands. Information has been received here, and is believed to be true, that a method has been discovered and is daily practiced, of avoiding the laws of the United States, and inflicting serious injury on the interests of this state. The cane juice is boiled almost to the point of granulation, and is then introduced into the eastern states, under the name of molasses; from this syrup refined sugar is made, in perhaps nearly as large quantities as could be made from an equal weight of brown sugar. A simple statement of this fact, must be sufficient to show at once, how the revenue of the general government is defrauded, and the prosperity of our citizens sacrificed to the cupidity of foreigners.

If regard too, be had for the condition of the neighboring islands, it cannot escape the sagacity of those who have control over the subject, that the probability is, that some of the finest, will before a distant day, cease to be slave holders. When this happens, like St. Domingo, they will no longer cultivate cane, and the withdrawal of any part of the producers, will naturally enhance the price of the product.

If in time of peace an augmentation of the price of West India sugar would certainly follow the discontinuance of the culture of the cane in Louisiana, how much greater would that augmentation be in seasons of war with any maritime power possessing a naval superiority?

The general assembly might present many other views tending to show the impolicy and injustice of withdrawing the protection of government from the culture of the sugar cane; but they will restrict themselves to the exhibition of only one or two more. That the navigation of the United States, and especially the most important branch of it, that concerned in the coasting and river trade, has been greatly benefited and extended by this cultivation of the cane, cannot be doubted; the amount employed in transportation eastwise, and on the Mississippi and its various tributaries, is very great. Nearly

one half of the whole steam boat tonnage of the United States is engaged on the latter theatre. The advantages of this domestic navigation, great as they are in cherishing and stimulating a trade at home free from all foreign competition, are not limited to commerce. It adds to the general security, and that especially of Louisiana in a period of war. Without the steam boats of the Mississippi, the condition of this exposed state, would, at such a time, be extremely hazardous. With them it is perfectly safe in all exigencies; they afford the sure means of bringing rapidly to the defence of New Orleans and Louisiana, the brave and gallant sons of the west.

The legislature of Louisiana has deemed it inexpedient to pursue the suggestions made in this memorial through all the illustrations of which they are susceptible; the wisdom of congress renders it unnecessary, and the last consideration deemed material to bring under their notice, will be briefly touched on, and dismissed. If the planting capital of Louisiana be driven from the cultivation of cane, it must seek occupation in some other pursuit. To no other is our soil and climate so well adapted as that of cotton; and the great additional quantity which our rich land is susceptible of producing, brought into market, could only have the effect of reducing the price below its present great depression, and forcing altogether from its cultivation, the comparatively poor soil on which it is now raised.

The legislature of Louisiana has thus placed before congress, the reasons which she considers of sufficient importance to prevent the repeal of the duties on foreign brown sugar. The great and paramount interests now involved in the measure, will, no doubt, be gravely considered; and above all, the obligations to the people of this state, which good faith imposes, it is hoped and believed, will neither be forgotten, or violated.

THE AMERICAN SYSTEM,

OR THE WHOLE MATTER IN A NUT SHELL.

Extract from the address of general Harrison to the Hamilton county (Ohio), Agricultural society.

"Among the objects to be accomplished by the establishment of such societies as yours, gentlemen, one not the least important, is the influence they may exert to procure the enactment of laws which may advance, or the repeal of those which may be considered prejudicial to the interests of agriculture. There are two subjects coming under this description which may possibly require the interference of the society. There is no person, who has turned his attention to the situation of the western country, that does not know how much the prosperity of the agricultural and mechanical interests of this section of it depends on the trade to the Mississippi. We may multiply our means of communication with the eastern ports, as much as we may by means of canals and rail roads; still from this part of the Ohio, and below us, for many of our articles, we must mainly depend on the states of the lower Mississippi. This market will be a good or a bad one, in proportion to their wants or their ability to purchase. Their wants will be in proportion to the increase of their population; and their ability to purchase will depend upon the success of their agricultural pursuits. It is obvious, therefore, that we have a deep interest in whatever concerns their interest. Their prosperity must be our prosperity; their adversity must inevitably bring a correspondent depression upon us. One of the principal articles, (perhaps the most important), of the produce of Louisiana, is sugar. Its cultivation to any considerable extent, is posterior to the cession of the country to the United States. Under the fostering care of our government, which afforded it a protecting duty, it has been greatly extended, producing advantages to the country as well as to the planters. Among the former is the abstraction of a large amount of labor, from the cultivation of other articles which had been produced to an amount beyond the demand. In this way the southern states, particularly the cultivators of cotton, were greatly benefited. While the western states reaped the advantage of an increased demand for almost every article of their agricultural and manufacturing products, and a diminution in the price of sugar, in the last twenty years, of at least three hundred per cent.

Before a sugar manufactory can be put in operation, an immense amount of iron work, machinery and castings, as well as wagons, carts, drays, &c. must be procured. These are purchased at Pittsburgh, Cincinnati, or Louisville. Horses, oxen and a supply of provisions must be obtained; and these are purchased of the western farmer. Sparingly and economically perhaps at first, but always increasing as the cultivation and manufacture progresses. If the enterprise is successful, where are the surplus gains of the planter expended? Who is there in this part of the country so ignorant as not to know, that a large portion of them comes into the pockets of the farmers and manufacturers of the upper western states? As his means increase, the sugar planter makes a more ample provision for the support of his family and laborers; the comforts of the negro are increased, by the allowance of a larger portion of better food. By these additions to the expenses of the planter, the western farmer and mechanic are benefitted. When enabled to obtain better, the planter is no longer contented with the homely furniture of his first establishment. Orders are given for more costly and elegant articles. And on what places are the orders given? Not on London or Liverpool, or even on New York or Philadelphia; but to some city on the Ohio. And this is one, not by any means the least, of the vents for those splendid articles which are poured out in such quantities from the shops of our Wards, Porters, Lehman, Skinners, McAlpins, Lees, James, and hundreds of others. The trade of the lower Mississippi, is peculiarly beneficial to the farmers on the Ohio and its navigable tributaries. From their situation, hundreds, I may say thousands, are enabled to dispose of their products in that distant, but convenient market, without the intermediate sale to a merchant, or the employment of a factor or carrier. They manage the whole matter of transportation and sale themselves; effecting the latter immediately to the consumer upon his plantation, or to the exporter at New Orleans. There is not one that has engaged in this business, that does not know, that it is frequently the want of the means of purchasing, which prevents the planter from buying a whole boat load of provisions rather than a small portion of one; and that if he would take sugar and molasses from the planter, in exchange for his own commodities, he could sell the latter at a higher price, and obtain the former at a cheaper rate than by cash sales. This fact was stated to me a few days ago by an intelligent farmer of my neighborhood, who has for many years been engaged in that trade; and shews that the planter finds great difficulty in disposing of his crops, even at the most reduced prices, and that he is willing to reduce them still lower to obtain the produce of our soil.

If the facts I have stated are true and the deductions I have drawn from them are correct, it would appear very extraordinary that any southern or western man should have supported the proposition to remove the protecting duty, and place the sugar planter of Louisiana precisely on a footing with those of Cuba, in which island all the products of the United States are subject to a most onerous duty, which, in relation to some of them, alone, amounts to prohibition. Apart from the impolicy of taking off the protecting duty, the measure to the people of Louisiana, would be full of injustice. Their cultivation of sugar was commenced under the protection of the duty, and there was nothing that could have indicated any change in the policy which dictated it. Protecting duties are given in every instance where they are necessary to the staples of the other states; to the tobacco of Virginia and Maryland, the hemp of Kentucky, the wool of Ohio, and why not the sugar of Louisiana?

PATRIOTIC RESOLUTIONS.

We so call the following, though, in several matters of principle, we differ entirely from those set forth in them—but they contemplate such proceedings as no republican patriot can disapprove of. We regret the belief that the tariff is either unconstitutional or oppressive, on the south—we think that, in both respects, a great mistake prevails; but every man is entitled to the same freedom of opinion that we entertain—and we shall always stand prepared, with our humble aid, to secure him in that right.

Resolutions adopted at a meeting of "the constitutional state rights and union party of St. John's, Colleton, South Carolina, assembled on Tuesday, the 9th inst.

1. *Resolved*, That we contemplate, with the most lively anxiety, the existence and probable issue of the angry political excitement which prevails in this state; and that we recognize as the principal cause of our unhappy divisions, the indirect attempt of a certain party to force upon their fellow citizens an highly dangerous political measure, extremely repugnant to the feelings of the latter, and which it is justly believed by them, will be extremely pernicious to the well-being of the commonwealth.

2. *Resolved*, That we believe the tariff law of 1828, passed by congress for the protection of manufactures, to be unequal and unjust in its operation upon the various sections of the union—that it is oppressive and burdensome upon the south in particular—that it violates the essential principles of equity, forbearance, and compromise, which form the basis of our federal compact, and therefore is unconstitutional—and that it, as a measure of national policy, unwise and impolitic and ought to be repealed.

3. *Resolved*, That we are willing to oppose it, and have hitherto opposed it, in common with our fellow citizens, by every means which can be employed by the state, consistently with the constitution, and our relations to the other parties to the compact as a member of the union; but that we do not think ourselves justified in opposing it, or any other unconstitutional law, by unconstitutional means.

4. *Resolved*, That we do not consider the right of a state, to "nullify," or forcibly arrest and make void a law of congress, as a constitutional right, but as a right of "sovereignty" paramount to the constitution, that although such a right might be exercised by a state "in its sovereign capacity," after it shall have recalled to itself those powers which it has delegated to the federal government, and thus have made itself (what no state now is) a perfect sovereign and independent nation, yet such a power evidently cannot be rightfully exercised, so long as a state continues a member of the union, and avails itself of its protection and the benefit of its laws.

5. *Resolved*, As the opinion of this meeting, that the right of nullification is no where asserted in the Virginia and Kentucky resolutions of '98, nor is it by any fair inference deducible from them; that it is expressly disavowed by Mr. Madison, the author of the former, and is no where sanctioned by Mr. Jefferson, the author of the latter;—and that there is nothing in any act or resolution of this state, either in substance or in name, to warrant such a doctrine.

6. *Resolved*, That, viewing the proposed remedy of nullification, as an highly irregular and unconstitutional measure, and as leading by an inevitable tendency, either to civil war, to disgraceful retreat, or to disunion, we feel ourselves called upon by every motive which can actuate us as citizens, as men, and as heads of families, most earnestly to oppose it, and by every fair and honorable means to prevent its adoption, no matter under what disguise of seducing recommendation it may appear.

7. *Resolved*, That we deprecate as a great public calamity, the existence of that wide spreading discontent, which it appears to be the policy of some of our citizens to cherish and increase; and which is unapplying establishing an impression on the minds of our people that the government of the union is hostile to their interests, and that the authorities of South Carolina are of themselves sufficient, and are alone willing to preserve our liberties, protect our lives and property, and secure our public happiness.

8. *Resolved*, That we regard the agency of the two governments (general and state), each operating within its respective sphere, as an essential element towards our political well-being, and that whilst we are resolved to vindicate and preserve the rights of the state from all encroachment, by all proper and constitutional means, we nevertheless think it necessary at this time explicitly to declare, that "we feel a warm attachment to the union, with our sister states, and to the instrument and principles by which we are united; that we are willing

to sacrifice to this every thing but the rights of self-government in those important points which we have never yielded, and in which alone we see liberty, safety, and happiness; that, not at all disposed to make every measure of error or wrong a cause of secession, we are willing to look on with indulgence, and to wait with patience, till those passions and delusions shall have passed over, which the federal government have artfully excited, to cover its abuses and conceal its designs—fully confident that the good sense of the American people, and their attachment to those very rights which we are now vindicating, will, before it shall be too late, rally with us round the true principles of our federal compact."—(Jefferson.)

9. *Resolved*, That our confidence continues undiminished in the disinterestedness, patriotism, firmness, and intelligence, of the chief executive magistrate of the union: that in the manly stand which he has taken against the wasteful expenditure of the public money on internal improvements, and in the pledge which he has given to the American people that the tariff will be reduced to an equitable standard as soon as the public debt shall be paid off, we have the most reasonable ground to hope, that the evils of the mis-called "American System," will soon be corrected, and harmony restored to our distracted country.

10. *Resolved*, That, cherishing towards our fellow citizens in all parts of the union, the feelings of confidence and cordial good-will, which ought to subsist between brethren of the same great political family, and relying on the like feelings on their part, we are slow to believe, that they harbor against us any settled designs of injustice or injury, or, that they will pursue those designs after they shall have been convinced of their pernicious tendency. We therefore conjure them, by all the sanctions of patriotism, by all the dictates of holy justice, by the feelings of brotherhood, and by the claims of common country—to examine attentively into the effects of a policy, which a small, but well organized party amongst them, is pressing most grievously upon us, for their exclusive benefit; and we call upon them to unite with us, in effecting a repeal of laws, which are considered generally by our citizens to be unconstitutional—which are believed by most to be oppressive in their present operation—which are apprehended by many, as likely to entail upon them future poverty and ruin—and the evils of which, if they be not corrected, may drive our citizens in despair to the adoption of revolutionary measures for redress.

11. *Resolved*, That we feel towards the president of the United States, the high respect which, as citizens, we ought to entertain towards the chief magistrate of our choice; and that in the exalted station which he occupies, as mediator between rival interests, we rely upon his impartiality and high sense of justice, for an attentive and parental regard of our own.

OTHER RESOLUTIONS, &c.

A very large and respectable number of the state rights and free trade party of Beaufort district, assembled in Coosawathee, on Monday, the 8th inst. came to the following resolutions:

"*Resolved*, That the state rights and free trade party of South Carolina cherishes a warm and proud attachment to the union as framed by their sires—and that they will sacrifice all but liberty, to preserve it.

"*Resolved*, That the charge that this party entertains designs hostile to the union, is an unfounded and wilful calumny, which even its authors and publishers disavow.

"*Resolved*, That the conduct of the union party in Charleston, in soliciting the interference of the federal executive in the party differences of this state, and in publishing before the nation the charge of disunion against their fellow citizens, calls loudly for the reprobation of every true Carolinian.

"*Resolved*, That the course of general Jackson in lending the influence of his name to the purposes of a local party is a condescension alike unworthy of his office and character—and that his indirect menace of the force of the government against the advocates of the "Carolina doctrine" as set forth by our state legislature is an outrage upon the feelings of a sovereign state—and

an insult to the freemen of this party, which should be met with a just and lofty indignation."

These resolutions are accompanied by a long preamble, in which we are sorry to discover the following emphatic passages:

"We believe that the legislature of South Carolina, like that of all other sovereign states, has, and of necessity must have, the right of protecting her citizens, in person and property, from grievances and injuries of all kinds which can be worked upon them by their fellow men; and as that body has already declared the tariff an unconstitutional and oppressive grievance, we conceive it their duty to protect us from its effects, by making it penal to enforce it within the limits of this state. This interposition of her sovereignty, we consider an act of protective justice. Nor do we recognize in congress, nor in any power on earth, the right of interfering with this course of internal regulation."

The same No. of the Charleston Mercury which publishes the proceedings of the citizens of Beaufort, contains the following sign in the shape of a communication:

The enforcement of the tariff at a halt!

"Mr. Holmes' bond has not yet been sued. After the resignation of Mr. Frost, the new district attorney, it is said, was directed to consult with the attorney general of the United States, before he proceeded on the bond!! What! is the government of the union at such a stand that it cannot sue on a common custom house bond, without all this advisement and machinery? It surely is not afraid to proceed! If there is this pause in its enforcing an unconstitutional law in its own court, what will be the state of things when the agents of the general government for enforcing federal usurpation are carried into our courts?"

Come, Uncle Sam, go on—exact the penalty of your bond to the last pound—don't hang back—it will lead to unpleasant suspicions. SHYLOCK."

We suppose that the writer of this communication would challenge to mortal combat any one who should insinuate that he is not a friend of the union!

BRITISH SEAMEN IN THE U. STATES.

The following is a copy of an address of the masters of British vessels at New Orleans to the consul of their nation. If the facts are stated fairly—the procedure which they complain of ought to be promptly corrected.

TO GEORGE SALKELD, ESQ.

His Britannic majesty's consul at N. Orleans:

SIR: We, the undersigned commanders of British vessels, in the port of New Orleans, respectfully represent, that we are suffering under grievous imposition, in consequence of a late decision of the city court, respecting the desertion of our crews; whereby we are compelled to pay them, although deserters, according to the tenor of their agreement, their wages up to the time they may think proper to demand them.

We are sensible, that according to the laws of Great Britain, and the contract entered into between seamen and their commanders, that, 1st. No seaman can demand, or be entitled to his wages, or any part thereof until the completion of the voyage. 2dly. That, if any seaman absents himself forty-eight hours from his duty, without leave, he forfeits not only the wages due to him, but his goods and chattels also, to the owner or owners of the vessel to which he may belong. 3dly. That it is contrary to a decision of congress, in which a reluctance to interfere between foreign seamen and their employers is manifested; but which directs the aggrieved to their own courts of justice to seek for redress. 4thly. That such a claim on the part of the crews, is at variance with the judgment of commercial men in this or any other maritime country; and to the opinions of the most eminent judges of past and present day, as they have considered that such a power given to seamen, would be nothing less than a death blow to commerce.

Now, sir, under these circumstances, we beg leave to inform you, that we cannot submit to a decision, the evil effects of which we have already and are daily experiencing. There is scarcely a British vessel now in port, that can muster half her regular crew; consequently the rigging of our vessels is rotting for the want of our crews to refit it—our ships and their cargoes are plundered for

want of our men to guard them—our freight are reduced by the enormous price paid for laborers, and our minds constantly harassed by the insolence and disobedience of the few of our crews who remain on board, by threatening us with writs of compulsion for their wages, in the "sealer's court," as they term it, if we even dare rebuke them for their neglect of duty.

We therefore, sir, appeal to you, as the representative of our government, for redress, and beg you to see that justice is meted out to us according to the laws of our country; for we cannot consent that a foreign power should interfere with the internal government of our ships, while the peace of that power remains unbroken by us.

New Orleans, June 22d, 1831.

FAMINE IN IRELAND.

From Cobbett's Register.

A sort of circular has been sent to all the public prints, I suppose from a committee that there is in London for the relief of the poor in Ireland; and a copy of this circular has been sent to me. The picture speaks for itself. The causes we know to be that there are no poor laws, and that the food of the country is out of it. I related once before, that hogs from Ireland, to the amount of nine thousand and some odd, passed through one single turnpike-gate at Speen, near Newbury, in Berkshire, in the single month of June last.—Upon inquiry, I find that just about the same is going on this year. These hogs had been landed at Bristol, where I last year saw about ten thousand hogs and sheep landed in three days. In short, here is the immediate cause of the famine in Ireland. The more distant cause is, there being no law in that country to compel the owners of land to suffer the working people to have a subsistence out of it; and the cause of their being no such law is the first, that our laws have been made by the men not chosen by the people; and the consequence of that has been the want of such laws as would prevent this state of wretchedness.

In these documents, signed by Edmund French, a Roman Catholic bishop, it is stated that fourteen out of fifteen of the land proprietors, both in number and value, are permanent absentees; that is to say, *fourteen of them out of fifteen* live constantly out of Ireland, and draw away the fruits of the land to spend either in this part of the kingdom or in foreign countries. This is such a state of things as never can exist without producing beggary and famine. The Duke of Devonshire, one of the great whigs, has according to his own statement, made in the house of lords some years ago, the great tythes of twenty parishes in Ireland, consequently he draws away all these great tythes. They may come in different shapes; but it is no matter whether they come in corn, in butter, in bacon, or live cattle; still they come. A drove of hogs, or a flock of sheep, or a bale of bacon, or a barrel of butter, none of these are sent to Devonshire-house; but they are sold here, and the money is paid in at Devonshire-house; and here they are to be eaten by the swarms of idlers assembled in this great place.

The country parts of England and Scotland are drained in like manner; but not in a like degree; and here are the poor laws, which though chipped away by Sturges Bourne's bills and other enactments, still give the working people a claim, and show them the way to prevent actual starvation. I had just closed this article when a friend sent me, at my request, an account of the imports of food from Ireland, during the present year, up to the first of June. It is imperfect; because it only gives an account of the imports in London and Liverpool, leaving out Bristol, Glasgow, and several other places. It is also imperfect in that it does not include bacon and live animals, nor poultry, nor eggs. Here is the account of the imports of the first five months of this year of famine in Ireland:—98,555 quarters of wheat, 311,948 quarters of oats, 10,098 quarters of barley, 540 quarters of rye, 1,556 quarters of beans, 941 quarters of peas, 5,880 quarters of malt, 69,510 loads of meal, 43,398 sacks of flour, 12,605 tivers of beef, 1,408 barrels of beef, 20,088 tivers of pork, 14,327 barrels of pork, 149,639 firkins of butter.

PROGRESS OF THE INDIAN CHOLERA.

From the *Englishman's Magazine*.

Indian or spasmodic cholera, is a plague of modern origin. It is in its principal symptoms altogether unlike the *English cholera*, yet many persons not acquainted with the nature of both species, have confounded them. In Hindostan, spasmodic cholera has probably always existed as a comparatively mild climatic disease, affecting at certain seasons of the year a small number of individuals in various parts of the country. But there is no evidence to show that it ever bore the epidemic character until the year 1817. However this question may be disposed of, it is at least certain that the Indian cholera was not entitled to be classed with pestilential scourges of the worst description, previous to the beginning of August, 1817, when it suddenly broke out with unprecedented malignity.

Commencing among the inhabitants of Jessore, a town 100 miles N. E. of Calcutta, in less than a month it travelled along the course of the river to that city, having desolated the intervening villages. Before the expiration of August, the native population of Calcutta were attacked, and early in September the disease was also manifested among the Europeans.

From January to May, 1818, the pestilence raged with extreme violence, extending its destructive influence across Bengal, from Silhet to Cuttack; and towards the interior, from the mouth of the Ganges to its confluence with the Jumna, a space including 450 square miles.

Leaving Bengal, the disease retired for some time to the western bank of the Ganges and Jumna. In its most malignant form it appeared at Benares, where in two months 15,000 persons perished. At Allahabad forty or fifty died daily. To other locations situated on either bank the disease soon spread, and the mortality was equally great. In the district of Gorakhpore 30,000 were carried off in a month. Then suffered in succession Lucknow, Cawnpore, Delhi, Agra, Muttra, Meerat and Bareilly.

Between the 6th and 7th of November the epidemic had reached the grand army, which, on the approach of the Pindarwarra, had been concentrated at Jubbulpore, Mundellah and Sauger, under the command of the marquis of Hastings. It consisted of 10,000 troops, and 80,000 followers. To the different divisions of this force the cholera proved more fatally effective than could the shot of the enemy in a well contested field. In twelve days nearly 9,000 men had fallen to rise no more. At this time the thermometer ranged from 90° to 100° Fahrenheit. The heat was moist and suffocating, and the atmosphere a dead calm. The progress of the cholera in the centre division of the army was as follows:—After creeping insidiously for a few days among the lower classes of the camp followers, it seemed instantaneously to gain fresh vigour, breaking out with irresistible force in every direction. Previous to the 14th it had overspread the camp, sparing neither age nor sex in the indiscriminating violence of its attack. The old, and the young, the European and the native, fighting men and camp-followers were alike selected, and all equally sank within its death-grasp. From the 11th to the 20th, the mortality had become so extensive that the stoutest hearts were yielding to despair. The camp wore the aspect of a general hospital. The medical officers, night and day at their posts, were no longer able to administer to the numerous sick who continued to pour in from every quarter.

The cholera now directed its course across the Deccan, advancing, in many instances, at the rate of fifteen or eighteen miles a-day, and remaining at various posts during a period of from two to six weeks. In this way it reached Hussenabad, where the mortality was frightful for several days. It then followed to the banks of the Nerbuddah to Tanah, and afterwards traversed to Aurangabad, Ahmednugger, and Poonah. Taking the direction of the coast, it arrived at Bombay, August, 1818, having crossed the Indian peninsula in twelve months from the date of its appearance in Calcutta.

We have thus been able to trace the footsteps of this destructive traveller through the country of its birth. Its measured rate of progression and the occasional halts which it made for definite periods in thickly inhabited

towns, are worthy of remark, as the epidemic still retains these characteristics. Like a noiscent river, its course has been at times direct or devious, uniform or temporarily interrupted; appearing at various places, not at the same period, but in succession, either by the gradual advance of the main current, or of some of its distributive branches.

While the interior of Hindostan was submitting to this, the pestilence had spread along the coast of Malabar and Coromandel, reaching Madras the 8th of October. With its progress here, a new and alarming feature was developed. The possibility of transporting the contagion by sea was evinced in its transit from Coromandel to the island of Ceylon. In Candia, the capital, it broke out, December, 1818, with even greater violence than upon the continent.

By the 15th September, 1819, Mauritius was included in the islands infected. The disease did not appear until after the arrival of the *Topaz* frigate from Ceylon, where the epidemic was then raging. The vessel at the time of sailing seemed healthy, but during the passage the cholera had appeared among the crew. In Port Louis fifty persons died daily. The malady, however, was chiefly confined to the coast; for though the deaths in the hospital of the town amounted to 94 cases of 133, on the plantation the mortality was not higher than ten or fifteen per cent.

In the adjacent island of Bourbon, the disease began early in December, 1819. The governor had adopted measures to interdict all communication with Mauritius; but notwithstanding this, two boats from the different islands held clandestine intercourse, and the contagion was imported. Of 257 persons seized with the distemper, 178 died.

During the last six months of 1819, the cholera, pursuing its route to the south and east, had also invaded the Indo-Chinese peninsula. Siam received more than a proportional share of misfortune. In Bankoe alone 40,000 individuals are said to have fallen victims. The contagion marched on to Malaga and Singapore. By the end of April it was announced on the northern coast of Java. During May it extended with violence in the interior of this island.

Cochin-China and Tonquin were invaded in 1820. In December, of the same year, it entered China, beginning its ravages at Canton. Peking admitted the enemy in 1821, and during that and the following year the mortality was so enormous, that coffins and other funeral requisites were necessarily furnished at the expense of the public treasury, for the interment of the poorer classes. Numbers of people engaged in the pursuit of business or pleasure, riding or walking, were seen to fall in the streets, exhausted by the sudden impression of the disease, which carried them in a few hours afterwards to eternity.

We shall now return to Bombay, and describe the course which the epidemic took to the north and west, in its approaches from that island towards the confines of Europe; and the route by which at last it was enabled to traverse the Russian empire, threatening in the present day, the neighboring European states.

In July, 1821, through the intercourse maintained by ships trading between Bombay and Muscat, in Arabia, the contagion was exported to the latter. Here the disease destroyed 60,000 persons. Many expired ten minutes after the infection. The cholera now spread to different parts of the Persian gulf—to Bahrein, Busheer and Bassora. In Bassora, 18,000 individuals perished, of whom 14,080 died in a fortnight.

From the Persian gulf the cholera extended, inland, in two directions, following the line of commercial intercourse. On one hand it ascended the Euphrates, traversing Mesopotamia, into Syria; and the Tigris, from Bassora to Bagdad. On the other, the disease was propagated into Persia. In the city of Shiraz, the population of which is 40,000, there died 16,000 in the first few days. Among the victims was the East India company's resident, Claudius James Rich, esq. He had retired to rest, but slightly indisposed. In the morning he was found dead in his bed.

Extending through Persia, the contagion visited several districts in the north and south of the kingdom. Isfahan escaped in consequence of the caravans from Shiraz be-

ing prohibited from entering the city. The route that was substituted lay through Yezd. This town paid dearly for the vicious visitation, as 7,000 persons were afterwards swept away by the cholera. During the succeeding winter, the contagion became dormant both in Persia and Syria.

In the spring of 1822 the Syrian and Persian streams of contagion had their frozen energies restored to activity. They quickly spread in their primitive vigor, Mosul, Berr, Acltab and Aleppo, were infected. In Persia, during September, the disease spread to the northward of Teheran, throughout all Kurdistan and Tauris.

In the spring and autumn of 1823, Diarbekr and Antioch were attacked, and the disease ravaged many of the towns along the Asiatic side of the Mediterranean. It also extended in an opposite course, attaining, in the month of August, Baku, upon the borders of the Caspian sea. At length, in September, it reached the Russian city of Astracan, at the mouth of the Volga. It first broke out in the marine hospital. From the 25th of September to the 9th of October, there died 144 patients, nearly two-thirds of all who had been attacked. Rigorous measures were enforced by the authorities for checking the contagion, but it continued to manifest itself until the severity of winter had set in. During the ensuing summer it did not return. The winter of this year was also destructive of the Syrian branch before it could reach Egypt. Sanatory precautions, however, in expectation of its arrival, had been prescribed by the vicary.

Although Europe was relieved from the impending danger, by the complete destruction or exhaustion of those parts of the contagious currents which had penetrated to Astracan, and to the borders of Egypt, yet the cholera continued to re-appear, every summer, in many of the countries previously infected, showing that the cold of winter had, in general, power to check its morbid influence upon the human body, but not to destroy the miasm altogether.

In 1822 it re-appeared in Java, and carried off 100,000 people. After visiting Ternat, Celebes and Bantia, in 1823, it first reached Amboyana. The inhabitants had no recollection of the disease ever having been in the Spice islands before. Afterwards it committed great havoc in Timor. For several years the cholera pursued its destructive course through China. After desolating several cities in Mongolia, it had reached the frontiers of Siberia at the end of the year 1826. In February, 1828, the disease fortunately received a check during the prevalence of a strong north wind.

After the first invasion, Persia had several returns of cholera. In October, 1829, a very serious inroad commenced in Teheren, the royal residence. But the occurrence of winter stopped its progress for the time. The contagion, however, was again reanimated towards the middle of June, 1830, in the provinces of Mazanderan and Shirvan, upon the southern shore of the Caspian sea. From the latter it passed through the town of Tauris, and destroyed 5,000 of its inhabitants. Crossing the Russian frontier, it rapidly advanced towards the interior. In two provinces 4,557 persons were seized with the malady, of whom more than a third died. The 8th of August it entered Tiflis. The population was soon diminished from 30,000 to 8,000, by deaths, and migration to avoid the distemper. To avert the spreading mortality, the inhabitants had recourse to religious ceremonies and processions, which, by collecting crowds, only served to extend the disease.

In the mean time, by the 1st of July, the malady had reached Astracan. Ten days afterwards, 1,229 individuals had been seized, of whom more than a third died, including the civil governor, and nearly all the officers of police.

This was the second time the devoted city of Astracan had been visited by the contagion.

The contagion, in penetrating to the heart of the Russian empire, from Astracan, pursued the course of the Volga, which spreads its navigable waters over the most populous provinces. Considerable havoc was made among the Cosaaks of the Don. The capitals of the several districts between that and Moscow were ravaged in succession. In the city the appearance of the de-

stroyer was announced the 23th of September, having travelled from Astracan, a distance of 900 miles in less than three months.

In Moscow, energetic measures were instantly instituted by the government to afford every assistance to the sick, and to oppose the progress of the malady. The 11th of October, twelve days after the invasion, 216 cases of cholera had occurred, and of these 73 were fatal. The mortality, however, exceeded even the proportion with the extension of the disease. By the 10th of November, 6,506 cases were returned, and the deaths amounted to 2,908, or more than a half.

Before closing the account of the progress of Indian cholera, and in order to submit to a glance the magnitude of the evil, we shall point out the geographical limits of its past career in the various directions along which it has been propagated. From Bengal, its aboriginal province, it travelled southward to Mauritius and to the island of Timor, near Holland; eastward to Kuku-choton, a Chinese, town situated east of Peking; westward to the city of Moscow, [it is well known, that the disease has since extended from Moscow to Poland, where it attacked both the Russian and Polish armies; many officers have fallen victims, and the sudden death of count Diebitch is ascribed to it. The latest European advices apprises us of its appearance at Archangel. At Riga, Dantzic, and in Galicia, it is committing frightful ravages, and gradually extending itself to the southward and westward, and may be expected in France at its present rate of travelling in 1832], a portion of the globe, in extent, about equal to seventy degrees of latitude, and one hundred degrees of longitude.

INTERESTING LAW CASE.

Reported for the United States Gazette.
STACY, JR. VS. WETHERILL & CO.

In the district court for the city and county of Philadelphia, tried on the 10th of October, 1830, before the president of the court, and a special jury.

This was an action on the case, and the plaintiffs claimed to recover the amount of damage suffered by them, as owners of the brig *Heroine*, in consequence of the defendants having caused to be laden on board of said brig, a box containing aquafortis, without communicating to the plaintiffs the contents of the box. The circumstances of the case, as they appeared on the trial, were as follows:

In May, 1828, the *Heroine* was in the port of Philadelphia, and was receiving freight for New Orleans. The defendants shipped by her three boxes and eight barrels, marked F. M. Jr. also marked glass. But, no communication other than that, was made of the contents. The boxes were received by the mate, and carefully stowed by the stevedore.

The brig sailed for New Orleans, and when abreast of Bombay hook, at about noon, it was discovered that there was something on fire. After cutting away the larboard side of the quarter deck, and pouring in water, it was discovered that one of the boxes, which had been shipped by the defendants was on fire. It was got on deck, and thrown overboard; the other two boxes shipped by defendants were brought on deck, opened, and found to contain bottles of aquafortis.

The vessel was detained off Bombay hook for some hours; proceeded on her voyage, and arrived at New Orleans. The cargo was landed under the inspection of the wardens of the port; a part of it was found to be damaged and the damage was paid for by the owners of the vessel and at considerable expense to the owners, the brig was repaired, after some detention. To recover damages for the injury thus suffered this action was brought.

A number of witnesses were examined on the part of the defendants, for the purpose of proving that the goods were safely and perfectly packed—that when in the very act of stowing them the stevedore was desired to be careful in handling them—that it had not been the practice of the defendants, or of others, sending this article abroad, to mark the contents on the box, or to communicate to the owner or master of the vessel, the nature of the contents.

Evidence was given on the part of the plaintiffs, to show that it was the practice of several individual druggists, to mark on the box the nature of the contents, or to have it inserted in the bill of lading, or communicate in some other way to the owner or master, the character of the article, and also, that when the article is known to be shipped it is usually carried on deck.

The court charged the jury, that the rule of law is, that when an article of a dangerous nature is shipped, the person who ships it is bound to give notice of what the article is; and if he does not, and it is received in ignorance of its character, the shipper is responsible for whatever damage may ensue from it. The sole question for the jury was, whether the mate who received the box had notice, expressly or constructively, of the nature or character of the contents.

The jury found a verdict for the plaintiffs for the sum of 357 dollars and 9 cents damages, and six cents costs. The case was argued for the plaintiffs, A. A. Browne and Randall for defendants.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 2—Vol. V.

BALTIMORE, SEPT. 10, 1831.

[Vol. XLI. Whole No. 1,042]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The causes stated in our last paper, have delayed the publication of the title page and index for the last volume, and also materially affected the contents of the present sheet, so far as they depend upon the *personal labor* of the editor, though filled with a close mass of very interesting or important matter, on various subjects.

☞ The much increased public support which has been extended to the REGISTER in the last and current year, especially the latter, will enable the editor to show his gratitude by his works. He intends to give many extra sheets, or supplements, that the long and important papers yet to appear may be published and preserved. And for the sake of reference, (never yet having published those celebrated articles, and that copies of them may be easily accessible to the people generally,) he will soon make room for the *Virginia and Kentucky resolutions*, about which so much is now said in political discussions.

☞ Some valuable materials for the proposed history and present state of the *iron manufacture*, have latterly reached us. The collection, however, is yet very inadequate to the fulfilment of our original design—but more information is expected; and we would respectfully urge an early forwarding of it—that time may be allowed, before the meeting of congress, to digest and publish the various facts collected. The *English subject*, who is a delegate to the "free trade" convention to be held at Philadelphia, has modestly said, "WE'LL BREAK THE IRON ARCH OF PENNSYLVANIA, AND WITH IT THE WHOLE SYSTEM WILL FALL TO THE GROUND." This foreigner, we hope to be excused for saying, what we should not say of a person having a *right* to speak on the subject, ought to have been bred a *brazier*—because of his superabundance of the raw material. The people of South Carolina would soon nullificate such a man, were he to speak of the interest of the *cotton planters* of that state, as he does of the *iron makers and manufacturers* of Pennsylvania—and yet the latter is, by far, the most valuable concern. The *iron business* of Pennsylvania employs many times more of the people of the United States than the *cotton business* of South Carolina. And if the *slaves* must be considered with respect to the one, they may be balanced by the *horses* in the other, required for the various transportations of materials and productions. Either are mere working-machines.

We have much wished for a full account of the *iron works and manufactures* of iron in Pennsylvania, to demonstrate the facts suggested—of the truth of which we have no manner of doubt. Cotton is a great and valuable staple, and it never entered into our heart to injure its producers to the value of one cent—but *cotton isn't every thing*. The world is not made of cotton!

We expect to attend the convention spoken of—but shall not, like the *New York Courier and Enquirer*, (in respect to the one held in that city, in May last), publish speeches not delivered in it, nor mis-state any thing which we shall see or hear. We shall, perhaps, and probably, do for this convention what no anti-tariff paper had the fairness or courage to do in respect to the *Harrisburg convention*—publish the *memorial and address* that may be agreed on, unless of an unreasonable length; for, as it is most likely we shall have something to say about the matters set forth, we shall not, like Mr. Thomas Ritchie, make our comments on an article which we are afraid that our readers should see and judge of for themselves!

☞ Our valued friend, Mr. CAREY, whose essays under the signature of "Hamilton" have long attracted the public attention—has recently published his

eighth number of a new series. It is made up chiefly of facts hitherto stated and ably urged, but now collected and published in a formidible arrayment against the "new lights," who recently discovered that those who made the constitution of the United States, (with its father at their head, the truly venerable MADISON)—those who acted under it in the first congress, and every president of the United States, as well as every congress, to the present day, were, or are, wholly ignorant—grossly ignorant—miscreantly ignorant, of the true meaning of the great federal compact. And, that the delicate modesty of the disciples of the "new school" may be more conveniently manifested, we shall, (as soon as relieved of the extra labor caused by getting-out the index of the last volume), incur the expense of an extra half sheet for the purpose of giving a place to this very valuable and timely essay, and some other articles which have been delayed for a suitable opportunity to afford them a place.

☞ "All is not fair in politics." I have suffered enough by wilfully false quotations, and garbled and forced extracts from my writings, made by opponents of the great system to which I am closely united—and am less disposed to bear with such proceedings on the part of those who should be regarded as my friends. If those think there is any good in what I say—they should permit me to be heard in my own words. Temporary purposes ought never to be subserved by a violation of truth. And, in respect to the particular case now before me, the effect must needs be not only injurious to myself, but prejudicial in things of much higher interest than the success of transient political party—supposing that any sort of influence may attach itself to my opinions.

NAVIGATION AND COMMERCE. There has been much and a just complaint of the delay in furnishing the annual report on the navigation and commerce of the United States. We are glad to learn that it is now printed, and will soon be published. This delay was caused by a want of the returns, probably caused by the numerous changes of officers in the custom houses.

ELECTIONS. Mr. Sevier has been re-elected the delegate from Arkansas, after a sharp contest, by a majority of 453 votes. He was opposed by Mr. Desha.

Mr. Isaacs, of Tennessee, re-elected after a violent opposition by 470 votes, is called in some of the papers a "national republican." He was opposed because of his want of adhesion to the administration. Mr. Crockett obtained considerably more than 7,000 votes, and yet was beaten by a majority of 596.

The Indiana "Clarion" says, that the senate has a large majority of national republicans, probably two to one; and it is admitted, by the other side, that there will be a considerable majority of such in the house of representatives. The exact returns from the 1st congressional district, shew 11,284 for Mr. Boon, J, and 10,823 for Mr. Law, C.

Messrs. Burgess and Pearce have been re-elected in Rhode-Island, without any regular opposition.

We have not yet received returns from Kentucky that clearly shew the state of parties, as exhibited by the votes given for members of congress, at the late election. The Frankfort "Commentator" claims a majority of 1,300 votes for the Clay candidates, though only one third of the representation—the majorities of several of the successful administration candidates being very small.

The Maryland election for electors of senate took place last Monday, and the result, (as was confidently expected by them), is a very large majority in favor of the "National Republicans." The vote in Allegany county

is not fully ascertained. It is known that one of the "Jackson" candidates has been defeated, and the other has probably been tied.

The confidence in its strength held by one party, and the extraordinary efforts of the other, (because that, as to the latter, the issue settled the political character of the state for the ensuing five years) has caused the loss of one or two counties to the former that might have been retained, had a corresponding zeal existed, and the same degree of energy been exerted. The college will consist of 27 or 28 National Republicans, and 12 or 13 Jacksonians, according to the result in Allegany county. It will meet on the 19th inst. to elect 15 senators for five years. We shall give the returns of the votes hereafter, so far as the particulars are obtained.

The following table is believed correct, with the blank left for Allegany.

	Nat. Repub.	Jackson.
Allgany,	1	—
Washington,	0	2
Frederick,	1	1
Montgomery,	2	0
Prince George's,	2	0
Calvert,	2	0
Charles,	2	0
St. Mary's,	2	0
Anne Arundel,	2	0
Annapolis,	1	0
Baltimore city,	0	1
Baltimore county,	0	2
Harford,	2	0
Cecil,	0	2
Queen Anne,	0	2
Kent,	0	2
Talbot,	2	0
Caroline,	2	0
Dorchester,	2	0
Worcester,	2	0
Somerset,	2	0
	27	12

There are four tickets getting up in Chester county, *Pennsylvania*—the Wolf Jackson, the anti-Wolf Jackson, the National Republican and the anti-masonic.

John Gayle, esq. has been elected governor of the state of *Alabama*, by a large majority of the votes of the people. The *Planters' Gazette* of that state characterizes him as the uncompromising opponent of "nullification," and considers his election "as a triumph of the principles of our forefathers over the new-broached heresies of the disunionists of the day."

THE FLORIDA ELECTION of a delegate to the congress of the United States, will, probably, result in one of the most interesting discussions of various important subjects involved in such proceedings, that ever took place in our country—and on many points.

We shall not pretend to enter into the facts, but there are some of the leading things which appear.

The opposing candidates were col. White, late delegate, and col. Gadsden—and for the former there appeared a majority of 101 votes; but the governor of the territory, Mr. Duval, for reasons which we do not recollect to have seen fully stated, objecting to certain votes given to col. White, made a tie between him and his opponent, and ordered a new election. Col. White requested his friends to treat this order "with contempt," saying that congress, and not the governor, has the right of investigating the business of the election; and it seems that the presiding justices of some of the counties, whose duty it is to issue orders for appointing inspectors, or judges, of election, have positively refused to respect the governor's proclamation, for reasons assigned—among them is David B. Macomb, esq. presiding justice of Leon county. He denies all "color of authority" in the governor, with relation to this matter.

One curious case is fully stated. It seems clearly proved that, at a certain election district called "Sadbury Precinct," col. White received a majority of votes, and that the returns were regularly made up and carefully forwarded; and it is admitted by the secretary of the

territory that they were regularly received; and yet it also appears that the "poll book," which, it is deposited on oath was enclosed, was *absent* from the office of the secretary, when making up the whole return.

Col. White has broadly charged certain officers of government with a direct and grossly unwarrantable interference in this election. If he can sustain these charges, it is his duty to bring them before congress—if they are incorrect, the officers charged should seek and obtain a speedy relief from them; for their character is of the most pernicious tendency.

The "Floridaian," of August 10, however says—"We learn that the long expected return from Sandy creek precinct, Walton county, accompanied by a 'poll book,' and giving col. White a majority of sixteen votes, was received by the last western mail, and has thus untied the Gordian knot."

But whether the governor will revoke his proclamation for a new election, is not stated.

"THE PAST AND THE PRESENT." On the 18th of October 1820, before the passing of the "accrued tariff," Samuel Hopkins, esq. of Genesee, thus described the state of the country:—

"We have probably four or five hundred thousand dollars of annual interest accumulating against us—exclusive of our commercial debt—and so totally has money disappeared, that it may be doubted whether there is enough to pay the interest on the amount of interest. We may be said to have but three articles of any moment for exportation—namely, flour, cattle and pot ashes; and, as far as I know, the depression in the prices of these is without a parallel. Last year we talked of the difficulty of paying for our land. This year the question is now to exist. The struggle is not now for property. From this time onward we shall have to contend for clothing, without which we shall become a miserable, and I fear a barbarous people.

The cities are eating up their capital, the country is wearing out clothes without sufficient means to get new ones, either by manufacture or produce. Meantime our importations go on. Specie is plenty in a few haunts, but the country at large, though overflowing with abundance of its products, has nothing with which to pay for money; and all the ordinary pursuits of life are paralysed for want of a medium of exchange."

On the 12th day of the previous February, the secretary of the United States' treasury, stated to congress, that "few examples have occurred of a distress so general and so severe, as that which has been exhibited in the United States."

Wm. Carroll, esq. governor of Tennessee, thus expressed himself as to the remedy of the evils of the "free trade" system under which we were then laboring:

"A determination on the part of the people to promote agriculture and domestic or household manufacture, AND TO LESSEN THE CONSUMPTION OF FOREIGN GOODS OF EVERY DESCRIPTION, will soon relieve the community from the pressure."

(N. Y. Amer. Advocate.

Ship building.—From the New York Evening Post of May 6, 1831—"The ship yards in this city have assumed a look of activity which has not been seen in them for five years past. One first rate ship was launched a day or two since, and contracts are already entered into for building ten others, of which six are already on the stocks, and the others will be begun as soon as the ship yards can be made ready for them. This is a greater number than has been under contract at any time since the year 1826. Besides these large vessels, great numbers of small craft and steamboats are constructing all along the shores, and vessels of every burden are undergoing repairs. The Kensington, so rudely used in our waters last year, with the Russian ambassador on board, has just been repaired and lies in all her fair proportions in the ship below Mr. Eckford's ship yard. By its side is another vessel of war, the United States, the construction of which is nearly completed. In the mean time the ship yards are alive and noisy with the stir and sounds of business. You hear every where the strokes of the carpenter's axe and plane, of the blacksmith's and caulker's hammer, and see men of the various other occupations, which minister to the construction of vessels, actively employed. The

*Governor of the state.

change is felt in thousands of workshops in this vast metropolis.

Even the hauling up of vessels on the dry docks to be repaired, gives employment to numbers of laborers. Pass by the dry dock in that part of the city called Manhattan island, when the heavy and immense mass of some large merchant vessel, drawn by huge chains, mounts slowly up the inclined plane, and you are reminded of Horace's

Tribunusq; steas machinæ carinas

Which is nearly as good a specification of the machinery of this invention as the mechanic who devised it could have lodged in the patent office—Wait until the keel is drawn up high and dry, and you will see a whole army of laborers pouring out of the building where they have been employed in giving motion to the machinery.

A year since our ship yards presented a very different aspect; silent, almost deserted—a single ship on the stocks and two or three repairing, a few tars sunning themselves, and here or there a carpenter or a stevedore sauntering listlessly about where he once found constant employment. The reality and strength to this new impulse to commerce, may be judged of from the remarkable fact, that within two months the value of shipping has risen in this port from twenty-five to thirty per cent. In the mean time we are glad to hear of similar activity in other cities, in Boston and Baltimore, a circumstance which proves that this renovated prosperity of commerce is general and not local—as to its causes, they are doubtless various."

COMMERCE OF BOSTON. The amount of revenue secured on merchandise, from

January 1, to March 31, 1830,	\$454,667 99
April 1, to June 30, 1830,	1,096,458 79

From January 1, to March 31, 1831,	1,551,156 78
From April 1, to June 30, 1831,	930,937 17
	1,213,559 51

	2,143,586 68
Excess over last year,	592,459 90

The number of arrivals into this port from the British West Indies and British American colonies, from Jan. 1, to August 24, of this year, was 73, and the number of clearances about the same. The total number of arrivals from foreign ports, 486. [Statesman.

¶ We shall here repeat some remarks that we have oftentimes made, that the facts may be familiar to every body. One great point of opposition to the tariff was, that it would ruin the revenue; but its friends said, that the revenue must be increased, as the tariff would supply means to enable the people to indulge themselves in the free use of foreign goods; and now, the opponents of the tariff calculate, upon the increased revenue to break down the tariff. These are queer things—but true.

VIRGINIA. The troops that marched from Richmond to Southampton have returned. Several of the blacks taken prisoners have already been condemned to death. There is a great deal of forer, and truth too, in the following remarks from the Boston Courier on this subject—

"We infer, from the tone of the newspapers in Virginia, that the public will not be satisfied with any thing less than the total extermination of the murderers. Public justice would strike only at the leaders, for they, and those whose injudicious philanthropy excites their disaffection still more than they, are fairly accountable for the mischief; but oppressed as Virginia is with the tremendous evil of slavery, it is to be expected that men will take counsel from their fears rather than their reason."

At an entertainment given at Petersburg to the Richmond light dragoons, John H. Pleasants, esq. offered the following toast: *Henry B. Vaughan*—the Jerusalem publican, who speculated upon the bones of his kindred, which the dragoons went to bury and to avenge.

The idea prevails that, because of the terrible events in Southampton, the white population, in case of like outrages in future, will retaliate by an indiscriminate

slaughter of the blacks—and such, we think, will probably take place! Indeed, a few days since, in Charles city county, a rising of the negroes being feared, an armed body of white men shot down two blacks, because they attempted to run away. There is much fear and feeling in several of the lower counties of the state; and the white inhabitants seem to be in a constant excitement.

DR. SAMUEL L. MITCHELL died at New York on the 7th inst. Some particular notices of his life and character hereafter.

WOOL AT BOSTON, remains at a high price, though the importations have been heavy. American tall blooded, washed 65 to 70; do. three-fourths 58 to 62; do. half, 53 to 56; half and common 48 to 53. The prices, generally, being as last quoted.

The import of foreign wools were 315 bales from Smyrna, 202 from Hamburg, and 700 from London—which are said to embrace nearly all the foreign wool ordered for the Boston market.

SHIP HOUSES. It has been stated that the great ship *Pennsylvania*, built and remaining in one of the ship-houses at Philadelphia, had settled; and that it would be necessary to launch her—this report brought about the following statement, which we copy to shew on what a large scale works of this kind are constructed—

The Philadelphia Chronicle contradicts the statement made in the New York Journal of Commerce, upon the authority of an intelligent officer of the navy, that the *Pennsylvania* had settled on the stocks. According to the Chronicle, the ship was never more secure and erect in her station than at the present; and her actual condition, as well as her immense size and perfect workmanship, excites the admiration of all who inspect her. She has never settled even in the slightest degree, and there is no reason whatever to apprehend such an occurrence. She is supported by a stone wall, under the whole length of her keel, of four feet in breadth, on each side of which are two walls of equal length and also of solid masonry, their thickness being each three feet with thirty-two transverse walls of similar construction, four feet apart, and each two and a half feet thick. These all rest on solid ground, and are laid, wherever this was necessary, in water cement. The interiors are filled with rubble stone, well rammed in; and the whole forms a mass not to be shaken by any thing less powerful than an earthquake.

The informant of the New York paper observed the guns of the ship lying near her; but his carelessness is proved by his statement that they are all forty-two pounders. She is to have these on the lower gun deck only, with thirty-two above. She is calculated for one hundred and thirty-eight; but may carry two more.

The *Hartford* rig is similar upon a similar structure.

This information is derived from an officer whose professional knowledge and skill are well known, and whose post requires him to be thoroughly acquainted with every thing connected with the navy yard.

WASHINGTON FAMILY. The lamented col. Variak was the last of the military secretaries, associated with Harrison, Hanson and Jonathan Trumbull, in the war of the revolution.

Of the aids-de-camp, col. John Trumbull, (aid before Boston, in 1775), alone survives the long and honored list of Mifflin, Reed, Johnson, Bland, Taylor, Grayson, Smith, Fungerald, Meade, Pinckney, Hamilton, Laurens, Humphries, Cobb, Tilgham, &c. &c. Trumbull, with the venerated Lafayette, form the "time honored" remains of the many and the worthy who were attached to the personal aide of the commander-in-chief in the days of trial.

Of the officers of the guard, Colfax, Gibbs, Grimes, Nicholas, &c. all are stricken from the muster roll of life—probably not a single soldier of the body guard now answers to his name.

Of the officers of the first president of the U. States, comprising from 1789 to '97 the secretaries Lear, Humphries, Jackson, Lewis, Nelson, Craik, Handbridge, all are gone! The adopted children, Mr. Custis, of Ar-

lington, and Mrs. Lewis, of Wood Lawn, are all that exist of Washington's family at the outset of the present government. Not a servant of that period is living, although one, a very aged female, still lives, who was at the camp of Morristown, 1777, and the Valley Forge, 1777-8. Such is the unsparring epythe of the time!

THE POLES. There was a meeting of the Americans in Paris on the 9th July to raise subscriptions for the aid of the Poles. Mr. J. Fenimore Cooper presided, and J. A. Washington, of North Carolina, acted as secretary. A subscription was forthwith opened, and 6,300 francs subscribed. A spirited address to the American people was also agreed to, and has been published, on behalf of the Poles.

Letter of the chairman to gen. Lafayette, with an extract from the Journal enclosed.

Paris, July 10.

My dear sir—A meeting of Americans, on the subject of the Poles, was held last evening in the Rue Richelieu, and I hasten to send you an account of the proceedings. You will see that I had the honor to preside, and it has become my duty, as the organ of the meeting, to request you will consent to receive, not only our own contributions, but any others that may be the consequence of our efforts, and to remit them to the people for whom they were intended. It was decided that an appeal should be made to the American people, in this cause, and we have dared to hope you will give the whole proceedings the high sanction of your name.

I am, dear sir, very faithfully and sincerely yours,
J. FENIMORE COOPER.

General Lafayette, La Grange.

Answer of gen. Lafayette.

La Grange, July 14, 1831.

My dear sir—I have had the pleasure to receive your favor of the 10th inst. including your resolutions adopted at the meeting in behalf of admirable Poland. Permit me, although I did not attend it, to proclaim my right of citizenship and to become one of the subscribers.

It is to me a source of patriotic enjoyment to see the sympathies of the United States mingle with those which the cause and heroism of the Poles have excited in Europe, particularly throughout France. Instances of American feeling on the subject we may already record. Whatever is collected in Paris, or other parts of Europe, or from the United States, I shall be happy and proud to transmit to the Polish authorities. With the highest regard, I am, my dear sir, your affectionate friend,

LAFAYETTE.

To Mr. J. Fenimore Cooper,
Rue St. Dominique, Paris.

From the United States Gazette.

The attention of the passengers on board of the steam boat *Swan*, from New York to Brunswick, was called by Mr. P. Ongen of New York, to the condition of the Poles. After explaining the object of the meeting, B. W. Richards, esq. (mayor) of Philadelphia, was called to the chair, and David Hoffman, of Baltimore, was appointed secretary—the following resolutions were suggested, and unanimously adopted.

1. *Resolved*, That we heartily sympathize with the Polish nation in their sufferings in the cause of liberty, and admire the heroism which has been displayed in the maintenance of their rights,

2. That we highly approve of the objects of the meeting of our countrymen in Paris, on the 9th of July, and trust that their call will be responded to in every quarter of our country.

3. That a subscription be now made, with the hope that this example will be followed throughout the union by all travellers, and that this humble commencement may be followed by a large aggregate result.

4. That a committee of three, consisting of *Moncure Robinson*, of Virginia, *Stephen Baldwin*, of Pennsylvania, and *David Hoffman*, of Baltimore, collect the proposed subscription, and place the same in the hands of captain Degraw, to be handed over to such agents as

may be appointed in New York, to transmit what may be there collected in behalf of the same cause.

5. That captain Degraw be requested to suggest similar meetings on board of this boat, with similar objects, during the remainder of this season.

Mr. *Abraham Payne*, of the island of Madeira, addressed the meeting in an animated and forcible manner, and closed his excellent remarks by tendering as a present, for the benefit of the Poles, a pipe of his best Madeira wine, now in Baltimore—the proceeds of which will be paid to Mr. Hoffman, for that object. The pilot and engineer, and three deck hands of the steam boat *Swan*, gave three dollars. Total collection in money about \$60.

B. W. RICHARDS, chairman.

DAVID HOFFMAN, secretary.

☞ A general meeting has been held in New York, W. A. Duer, chairman, to raise money for the relief of the Poles. It is probable that a handsome amount will be collected in the United States.

ANTHRACITE COAL FOR STEAM ENGINES. The experiments in the use of the anthracite coal for steam engines are matters of public interest, and we are happy to perceive by the following extract of a letter with which we have been politely favored, from a gentleman in Baltimore to another in this city, will probably be successful.

[Albany paper.

Baltimore, 22d August, 1831.

My dear sir—Feeling an interest in the prosperity of every thing relating to rail roads, I made it my business, on my return here, to enquire into the success of the use of anthracite coal in our locomotive engine; and believing that it might be of some service to your road, I will detail such information as I have obtained.

On the first trial it packed as it does with you; but by creating a powerful artificial draft (with a fan) and enlarging the gate below, they now meet with complete success. Our engine is of four horse power, and can carry 100 passengers twenty miles per hour; but, owing to the curvature of our road, it is not advisable to go over thirteen miles the hour, which it now does, overcoming an elevation of from 12 to 30 feet the mile. She goes and returns 15 miles (making 26) in 2 hours, and consumes but one quarter of a ton of coal, at an expense of \$2.

Our wheels will run 1,000 miles with one oiling.

To the wheels of the locomotives upon the Mohawk and Hudson rail road, is attached a self-oiling box; invented by Mr. Jarvis, the ingenious and able engineer of the company.

DECLINE OF BOSTON. The Patriot states that the duties upon the goods entered at the custom house on Friday amounted to upwards of three hundred thousand dollars. These goods could not have arrived here without our ships, and if our ships are in port they cannot, of course, be doing a profitable business elsewhere—we believe this is the argument, and a very logical one it is. The fact is but one of the many indications of a declining trade, which are shown in the eyes and grieve the hearts of many patriots in our city. Boston was never before so near the brink of destruction; much of her little business is like to die a natural death, for want of nurses. Her streets are lumbered up with goods; the people who have not left her in despair are jostling each other about the streets, and hurrying to and fro, like men demented; her manufacturers make few or no goods except to order; real estate has not risen more than thirty-three per cent. within the last eight months; and, in short, consumption stalks through the streets in such a palpable shape, that even the prophetic croakers who erst made the city musical, though melancholy, with their lamentations, have laid aside their harps, and wait with gloomy satisfaction to have their predictions verified. We are convinced that Boston will soon lose a good portion of her business—for want of people to transact it.

[Courier.

MOHAWK RAIL ROAD. On Thursday the locomotive *De Witt Clinton* came down from Schenectady, on her first regular trip in 50 minutes, with a train of cars behind her. Yesterday a friend of ours left with a small

train of cars at 28 minutes past 10—eight coaches having preceded. The engine went at the rate of nine miles an hour up to the long inclined plane of three miles in extent, with a descent of about 21 feet per mile. The last seven miles on a level were passed in thirty minutes exactly.

The engine left Schenectady with another train of four loaded coaches, at ten minutes past 12, and came the first 7 miles in 35 minutes, stopped 5 minutes, and came the last 4½ miles in about 17 minutes, being less than an hour coming the whole distance. Fine wood was used on this occasion, but it cannot be made to produce an uniform heat, and the velocity at some portions of the route was greater or less accordingly. Several miles, however, were run at a rate of from 20 to 23 an hour, which fact can be easily known from the number of strokes of the piston per minute.

The cars now leave Schenectady at a little after 12 M. So that our citizens can take a morning ride with great comfort. The sensation is delightful; a velocity of 20 miles an hour is very agreeable and novel. There has been more travelling yesterday and the day before than at any other preceding period.

The new locomotive from England is arrived. The inclined plane at Schenectady is nearly finished, and is an object of great curiosity. *[Albany Adv.]*

PARIS GAMING HOUSES. The number of these licensed *enfes* is seven, viz. four in the palais royal, one in the Rue Marivaux, Frascati, and the Cerule. They contain seventeen tables for play, and 150 employers, exclusive of spies, flat-catchers, and decoy-ducks. The administration of these infernal regions pay annually to the city of Paris, six millions, fifty-five thousand, and one hundred francs, for the exclusive privilege of ruining twenty or thirty thousand families every year; the city has, more or less, a certain per centage upon three-fourths of them; the bankers of the tables are relieved every three quarters of an hour, and each, in his turn, is obliged to enter in the cabinet of his chief, to make his report, viz. whether there are any new faces—how much a new comer has lost—whether he played with gold, silver, or bank notes, and displayed much money—whether he has a distinguished appearance, is tall or short—what his age may be—his residence—whether he is of Paris, or from the country, or a foreigner. The *chef de partie*, (so this privileged inquisitor is styled), writes these particulars in a register kept for that purpose. If the name of the player is not soon ascertained, they give him a supposed one, a *sobriquet*, ad interim. *[London paper.]*

FOREIGN NEWS.

From London papers to Aug. 2, inclusive, received at New York, &c.

GREAT BRITAIN.

The reform bill was still in the house of commons, and proceeds slowly, because of the special opposition which the disfranchisement of every borough causes. The ministers held a large majority, and the work will be completed.

The British crops promised a bountiful harvest. All foreign grain, it was expected, would be immediately excluded, unless some from the United States, passing through Canada.

The ceremony of crowning the king, it is expected, will speedily take place—but a great part of the usual ceremonies will be omitted because of the bad state of his health. The small sum of 100,000 pounds a year has been settled, by parliament, on his wife, in case she survives him. She attended with her husband, when he signed the bill, which was presented by the speaker in the following humble terms:

"May it please your majesty, we your majesty's most faithful commons appear before you with respect and attachment to your majesty's house, and beg most humbly to announce to your majesty, that in conformity to your majesty's recommendation last parliament, we have passed a bill, (and with dutiful respect we now present such bill to your majesty) to make provision for her

most gracious majesty, in the event of your majesty's decease, and of which bill we beg your majesty's acceptance."

A new bridge over the Thames, at London, has been opened. It is a magnificent structure, and, with the ground required for its location and accommodation, cost two millions of pounds.

The young queen of Portugal has returned to England from an excursion to France, and, by express command, was received with regal honors.

Lord Brougham has done himself great credit by the reforms which he has accomplished in the court of chancery, and by the industry and energy with which he has despatched the business—there are now no arrearsages.

Cobbett was tried before the king's bench about a week ago for a libel for a seditious publication. The trial excited a good deal of interest, as being directed against the press, and by a liberal ministry. Cobbett had cited all the ministers as witnesses; and in his speech lashed them very severely. The attorney general, sir Thomas Denman, was evidently afraid of him, and handled him lightly, calling him a perfect master of the English language. He was virtually acquitted, the jury not being able to agree upon a verdict.

FRANCE.

The king opened the chambers on the 22nd July with a speech, inserted on page 28. He is evidently gaining popularity and strength—if we may judge by what we see stated.

The anniversaries of the three days were celebrated with great pomp. The first with funeral ceremonies in honor of the dead—the second by magnificent games and shews—and the third by a grand military review of more than 100,000 men. All passed off well, and in excellent order, though disturbances were feared. The king laid the corner stone of a monument to be raised to the memory of those that fell in the revolution. He was attended by Don Pedro, ex-emperor of Brazil. There is a report that the latter has offered his daughter, the young queen of Portugal, to the second son of Louis Philip.

The French army is in fine order. The country was generally tranquil.

The following circumstance is related in one of the London papers—and whether it shall or not lead to serious consequences, the anecdote will serve as an illustration of the French character:

"An incident rather of a curious than an important nature, attended the first sitting of the French chamber of peers. As soon as the members and the public were admitted, a number of Austrian flags, which were recognised as those that Bonaparte had sent to the senate after the battle of Ulm, in 1805, were seen conspicuously placed upon the tribune, with statues of victory intermixed with them. The count de Semovalle, the grand referendary, explained that these ensigns had been new, for the first time, disinterred from one of the vaults of the chamber, where he had preserved them with a jealous care, from the period of the restoration up to that moment. His reason for producing them then was, that he thought France was in a condition to reclaim all its ancient military glory, without caring who was offended at the revival of it. This affair, which was puerile and theatrical in the last degree, excited cheers from the audience in the chamber; but out of doors, coupled with the declarations of the duke of Orleans, it has produced a more serious impression—that war with Austria is not improbable. There seems no good reason why such a piece of charlatanerie should be played off, unless to give gratuitous offence to that cabinet. It is reported that the Austrian minister has already claimed the standards; and perhaps the foolish transaction, if it was not preconcerted, may lead to serious consequences. It is again denied that the Russian ambassador had left Paris."

At the grand review on the last of the three days, the king announced the reception of a report that the Poles had obtained a great victory. It produced a mighty sensation among the troops—"long live Poland" burst, at once, from the lips of 120,000 men—and patriotic songs were chaunted by them under arms! The effect was wonderful. The soldiers embraced one another, and shouted and danced; and an abundance of wine was sud-

denly presented, in which they drank success to the Poles—*success to the Poles.*

The duchess of Berri was at Lucca, on her way to Naples.

The London Sun of Aug. 2, says—We have no news from Paris to-day. The question of peace or war mainly depends upon the fate of the election of the presidency of M. Lafitte, or the nominee of the minister. One thing is, however, very clear, that if France do not go to war at present to support the Poles, she will be compelled in a short time to resort to it in vindication of her own institutions, which can never be deemed safe after the triumph of Russia in Poland. If Louis Philippe thinks otherwise he will be grievously disappointed.

M. de Plaffenhoffen, who, it will be recollected, is prosecuting a claim for debt against Charles X. in Scotland, obtained, in the tribunal de premiere instance, of Paris, a judgment by which the ex-king is condemned by default, to reimburse a sum that, including interest and charges, amounts to upwards of 1,000,000 francs.

RUSSIA.

The cholera was raging dreadfully at St. Petersburg and many other places. Hardly one half of those attacked with this disease survive.

The following is an official statement of the progress of the disease for three days at St. Petersburg.

	Remaining from preceding day	New cases	Deaths	Recovered	Likely to recover
July 2	61	99	57	1	19
3	102	152	67	2	16
4	185	223	106	1	46

Letters from St. Petersburg of July 6th, communicate some particulars of a disturbance, which had broken out there among the poorer classes respecting the measures taken by the Russian government to prevent the extension of the cholera morbus. In various parts of St. Petersburg places have been appropriated for the reception of persons attacked by the disease, around which cordons had been placed. The poor people were impressed with an idea that their friends who were taken into these hospitals were unfairly dealt with—that instead of measures being adopted to restore the sick, they were buried alive or poisoned. The fact that admission was not freely granted, strengthened the opinion that something improper was going on within the hospitals. A great body of persons, in consequence, forcibly entered the hospitals, and dragged out their friends, many of whom were in the last stage of the disorder; they killed the medical men in attendance, and great disorder prevailed. An express was sent off to the emperor, who was near Peterhoff, and Nicholas soon arrived at the spot. He expostulated with the people on their conduct, and said they ought rather to implore God to put an end to the prevalence of the malady. The emperor then fell on his knees, and was joined in prayer by all the people. Thus the disturbance was quelled without any further outrages being committed.

There was a report at London that the emperor Nicholas had died at St. Petersburg of the cholera.

The value of goods exported from

Russia in 1830, was	274,312,128 rubles.
That of imports,	198,132,812

Excess of export to	76,179,316
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DENMARK.

Frederick VI. king of the Danes, the Vandals, and the Goths, and the duke of Sleswick, Holstein, Stomern, Lauenburg and Oldenburg, has given a new constitution to his subjects. Two elective chambers; voters, all householders and landholders; the qualified to sit being landholders, clergy, and, (with leave), officers of the government. Meetings of the states once in two years. Minor matters to be declared in future proclamations.

PRUSSIA.

It is stated that Prussia has declared that her inactivity is not *neutrality*, with respect to the contest between the Russians and the Poles; and that she will assist the former by facilitating the passage of provisions and the munitions of war. There is much speculation as to events that may grow out of this position.

Berlin was threatened with the cholera, and the people was flying from the city in great numbers.

POLAND.

It seems certain that the Polish general Gielgud had been compelled to fly before the Russians in Lithuania into the Prussian territories, when he was assassinated by another Polish officer. Such appear to be the facts—but particulars are not given. The troops remain in Prussia, about 2,500 men.

It was stated at London on the 27th July that the Russians had crossed the Vistula, and were expected to invest Warsaw. Much sympathy was felt for the existing condition of the Poles. There were reports of several small battles near Warsaw—in which the Russians appear to have suffered the most; but they were concentrating their forces. The Poles were resolute, gathering strength and preparing for a terrible contest.

The Russian army in Poland is not of that immense overwhelming force as to excite so serious apprehensions for the fate of that country. The whole amount is 63,000 infantry, 19,000 cavalry, and 332 pieces of cannon. Of this force there are with gen. Toll 26,500 infantry, 7,900 cavalry, and 132 pieces of cannon; the remainder of the army is in Lithuania, Volhynia, &c.

The emperor continues to fulminate his ukases against those districts of ancient Poland which have risen. Podolia, Volhynia, Grodno, Wilna and Bialystec, are all declared in a state of war. In Volhynia the insurrectionary spirit is said to be burning with great fierceness.

There was a report by way of Metz that the great battle which was expected near Warsaw had taken place, and that the Russians were utterly defeated with the loss of 16,000 men and 80 pieces of cannon. We regret that we cannot place much reliance on this report; but it is well known that the Poles had resolved on "*victory or death*," in the literal meaning of these words; and they will surely fight desperately, well knowing that a general massacre will follow the success of the Russians.

AUSTRIA.

Vienna, July 7. According to a report of the board of health of Galicia, the number of persons attacked by the cholera in that province, from the first appearance of the disorder to the end of June, was 37,000; of whom 19,655 had recovered, 13,356 died, and 5,989 still remained ill.

There is a strong report of a general rising in Hungary, in favor of the Poles.

BELGIUM.

Leopold had arrived at Brussels, taken the oaths, and been installed king—to the great apparent satisfaction of the people. The speech of the regent in laying down his power, and of king Leopold in assuming it, are given in pages 29 and 30.

At the latest advices, things appeared quite satisfactory at Brussels, and the new ministers appointed were agreeable to the people. The king of Holland, however, will not acknowledge the new king of Belgium—and threatens hostilities. His army, well appointed, is 100,000 strong.

So great was the influx of strangers at Brussels on the arrival of the king, that nearly 4 dollars were given for a bed room, and more than 20 for a window in the Place Royale to behold the ceremony of his installation. The streets through which he passed were splendidly decorated. Report has assigned one of the daughters of the king of France as a wife for Leopold.

The Belgians have taken offence at that part of the speech of the king of the French, announcing that the fortresses of Belgium would be demolished; and the Belgian government has officially declared, that no overture had been made to it upon the subject, and that that clause is not found in the conditions which it has accepted.

BELGIUM AND HOLLAND.

The Dutch appear to be very seriously preparing for war on Belgium, which it will require all the address of the other powers to prevent. Leopold is in the mean time rendering himself popular by a general tour in the provinces. On the 28th he arrived at Antwerp, where his reception was a brilliant pageant. A warm-hearted congratulatory address was presented to him, to which he made an appropriate response. In the evening he visited the theatre, and on the following morning reviewed the troops. His majesty seemed determined to be popular with all classes. He has for-

mally announced his intention of espousing a Catholic wife, and of raising up his children in the Catholic faith.

SPAIN.

It appears that much attention is latterly paid to the army. One strong corps was to proceed towards the French frontier, and another towards that of Portugal. The latter supposed to assist Don Miguel in his need—if driven from Lisbon, either by the French or his own subjects.

ITALY.

Private accounts from Genoa state that the new alliance between Sardinia and Austria is no longer a mystery, and the king of Sardinia is assembling an army of 140,000 men, under the command of Charles Albert.

It appears that Italy was on the eve of another revolution. The papal troops had refused to act against their countrymen—the tri-colored flag was flying at several places, and the national guard was re-organizing, the Austrians having retired.

PORTUGAL.

France has completely humbled the tyrant of Portugal. The squadron under admiral Roussin gallantly forced a passage to Lisbon, took possession of all the Portuguese ships, and dictated what Miguel should do, allowing him only two hours to decide. The prisons of Lisbon are said to contain 40,000 persons! The reign of Miguel is terrific. He appears to be a perfect savage.

Miguel had not yet fulfilled the terms dictated at the last advice, and the tri-colored flag still floated on the Portuguese vessels of war. There are reports of a general insurrection at Lisbon.

TURKEY.

Much fermentation is said to exist because it is supposed that the sultan intends to diminish the power and revenue of the priests. He has made many important reformations in the affairs of his empire, and contemplates other great innovations on the old customs of his people.

COLOMBIA.

The black population at Caracas had risen—taken possession of the jail and liberated the prisoners—killing many persons who opposed them; but they were subdued and 30 of them (including two women) immediately shot.

BRAZIL.

There has been great disturbances at Rio Janeiro and other places in Brazil. *We may expect that this fine country, like Italy, will speedily pass into the dominion of the colored population, and that the slave trade will be avenged.* Assassination was the order of the day, and many persons have been killed in the different fights that the people have had with one another. A letter says—the state of affairs is wretched in the extreme, no one will pay his debts, and there is no law to compel payment; all the wealthy people are desirous of leaving.

ALGERIENS.

The French have not reduced the interior, and the Arabs, assembling in numerous bodies, were yet troublesome. Indeed, they lately attacked a strong French force, and killed and wounded 6 or 700 men. But it is not to be supposed that this state of things will last long. Algiers was becoming a French city—the adjacent parts of the country were very rapidly improving, and population was advancing, by the influx of emigrants; and if the possession by France be undisturbed by the European powers for a few years, the colony will supply immense quantities of grain, cotton and sugar. [We hope that our cotton planters will not ascribe the effects of these things to our tariff.]

BRIEF NOTICES.

Ballooning. Mr. Durrant lately ascended to the height of 3,600 feet, from Castle Garden, New York—when the balloon, containing 10,000 square feet, had only the “apparent size of a water melon;” and such was his command over the balloon, that (aided by a boat which towed it along after it had approached close to the water) he landed on the very spot from whence he started about an hour before.

A new air gun. A trial of a new air gun, the invention of M. Perreault, of Rouen, was recently made in

Paris, in the presence of lieutenant-general Pelet and several generals and superior officers of artillery. This terrible instrument of destruction is mounted on rollers or little carriages. The guns can be fitted on one carriage, and each pointed in a different direction. They are discharged by means of a wheel, which an infant would be able to move. Each cannon fires off five hundred balls a minute, and 5,000 balls can be discharged without its being necessary to let in a fresh supply of compressed air. All the apparatus required for the three cannons can be carried by one horse. A battery of those guns to an indefinite length may be formed, and their effects upon a mass would be to cut them through as a saw cuts a plank.

Amiabilities between Johnson and Adam Smith. Mr. Baswell has chosen to deny, for reasons which will be presently obvious, that Johnson and Adam Smith met at Glasgow; but I have been assured by professor John Miller that they did, and that Smith leaving the party in which he had met Johnson, happened to come to another company where Miller was. Knowing that Smith had been in Johnson's society, they were anxious to know what had passed, and the more so as Dr. Smith's temper seemed much ruffled. At first Smith would only answer, “he's a brute—he's a brute!” but on closer examination, it appears that Johnson no sooner saw Smith than he attacked him for some points of his famous letter on the death of Hume, (ante v. ii. p. 267 n.) Smith vindicated the truth of his statement. “What did Johnson say?” was the inquiry. “Why he said,” replied Smith, with the deepest impression of resentment, “he said, you lie!” “And what did you reply?” “I said, you are a son of a ———.” On such terms did these two moralists meet and part, and such was the classical distaste between two great teachers of philosophy. [Walter Scott, from Croker's Boswell's Johnson.]

A handsome fee. Charles the second had a narrow escape from apoplexy in the spring of 1655, and was only saved by the resolution of sir Edmund King, who bled him on the spot, and without waiting the arrival of the other physicians. For this breach of etiquette a pardon was formally made out, and a thousand pounds granted to the practitioner; “but,”—there is always a but—“it was never paid.”

Veneration for a fiddle. A German writer, of whom I afterwards knew a little, was in some respects an original worth studying, though not imitating. He loved nothing so well as fiddling, and had two violins, a best and a second best, on the first of which, I firmly believe he would not have allowed his own father to draw a bow. Quitting England to settle in South America, he tore himself from his beloved instrument for the first time: but it was only to export it, highly insured, in a different, and, as he thought, a safer ship, than the one he was to sail supercargo in! [Harmaticon.]

Mexico. At New Orleans papers have been received from Mexico up to the 5th July, and letters from Tampico to the 23rd. Congress was to have met on the 21st of July, in extraordinary session. The greatest tranquility reigned throughout the republic. A *condueta* had arrived at Tampico with \$700,000, and 33 bars of silver—and two others were on their way with 100,000 dollars each.

Blue, red, and white. Commodore Chauncey hoists the blue pennant, at the navy yard, as senior officer. Commodore Downs of the Potomac the red, and commodore Cassin of the Hudson, the white.

[N. Y. Standard.]

The U. S. ship *Natchez*, bearing the broad pennant of com. Eliott, recently arrived at Norfolk. This ship is commanded by capt. Newton.

Singular case. In a neighboring town a few days since, a man who had been engaged in the operation of skinning a cow, which had died probably by the bite of a rattlesnake, gave sudden indications of having been mortally poisoned. His arm has since swollen to a considerable size, and but slight hopes are entertained of his recovery.

[Boston Daily Adv.]

The crew of the U. S. schooner *Poipease* have contributed \$200 for the relief of the sufferers by the late fire at Fayetteville.

Distressing shipwreck. The *Lady Sherbrook*, from Londonderry for Quebec, was lost on the night of the

19th ult. on Cape Ray, N. F. and out of 15 seamen and 285 passengers, only the captain, mate, three seamen and twenty-seven passengers were saved.

Pyramids of Teotihuacan in Mexico. At a recent meeting of the London Geographical society, a communication was read from lieut. Glennie, descriptive of these interesting memorials. The village of Teotihuacan is in lat. 19 deg. 43 min. and in lon. 98 deg. 51 min. E.: the variation of the needle being 9 deg. 49 min. E. The village is elevated 7,492 feet above the level of the sea. The pyramids are distant about a mile and a half from it; the largest is 727 feet square at its base, and 221 feet high, with two of its sides parallel to the meridian. A rampart of about 30 feet in height surrounds this pyramid, at the distance of 350 feet from its base, on the north side of which are the remains of a flight of steps, with a road leading from them in a northerly direction, covered with a white cement. The remains of steps were also found on the pyramids, which were covered with the same sort of white cement, as well as broad terraces extending across the sides. The number of pyramids surrounding the large one was estimated by Mr. Glennie at above two hundred, varying in their dimensions. They are all constructed with volcanic stones, and plaster from the adjacent soil, all coated with white cement, and the ground between their bases seems formerly to have been occupied as streets, being also covered with the same sort of cement. One of the smaller pyramids was covered with a kind of broken pottery, ornamented with curious figures and devices; and in the neighborhood of these edifices abundance of small figures were found, such as heads, arms, legs, &c. moulded in clay, and hardened by fire.

Pardoning power. The New York Commercial states that "such is the facility with which pardons are obtained in that state, that there are at this time fifteen hundred convicts loose upon the community, who have been pardoned, and whose terms of imprisonment, as adjudged by the courts, have not yet expired."

Dogs. It appears that 2,865 dogs have been killed in the city of New York, since certain cases of hydrophobia happened there. We have a strong hope that they will be, at least, much reduced in all our large cities and towns.

Philadelphia. Twenty-two houses on Shippen street were destroyed by fire, on the 28th ult. together with an infant—caused by "a useless burning of shavings." Four of the buildings were of stone—the rest of wood. Several firemen were much injured.

Proportion of soldiers to the inhabitants of various states, is nearly as follows:—

In England 1 soldier to...	140
France.....	110
Austria.....	100
Russia.....	90
Bavaria.....	69
Prussia.....	68
Poland.....	60
Wurtemberg.....	59
Sweden.....	58
Denmark.....	57
Hesse Darmstadt.....	49

In the United States, there is 1 soldier to 2,074

Murdered, on Thursday, the 18th ult. in St. Michael's church, Trenton, New Jersey, by the rev. Dr. Beasley, prince Lucien Murat, second son of Joachim Murat, the late ex-king of Naples, to Carolina Georgina, youngest daughter of the late major Thomas Frazier, of South Carolina.

Died, recently at New Castle, Del. Thomas Kean, aged 15, and James Macomh Kean, aged 13—only sons of Matthew Kean, esq. recorder of the county. These amiable youths died of the scarlet fever, in consequence of having gone to bathe when over-heated.

—at Frederick, at a very advanced age, Benjamin Galloway, esq. first attorney-general of Maryland under the constitution of the state.

—in York county, Pennsylvania, Peter Sabel, aged 73—he weighed 400 lbs.

The Potomac frigate, capt. Downes, with a fine crew of 500 men, sailed from New York 2 weeks since, for a 3 years cruise in the Pacific. She will touch at Rio Janeiro, and proceed by the way of the Cape of Good Hope,

visiting several of the East India islands, to look after the interests of our commerce.

Russian manufactures. During the month of June there was an exhibition at Moscow of the productions of the arts and manufactures, methodically arranged in eight rooms. Among a great number of machines was one by Ivan Gourehkoff, for making shawls in imitation of Cashmires, which worked in presence of the public. There were 5,800 different articles, sent by 480 artists, manufacturers, and workmen.

AMERICAN CLAIMS ON FRANCE.

It appears by the subjoined article that our minister, Mr. Rives, has succeeded in making an arrangement with the government of France for the liquidation and ultimate payment, (in part, at least, if not the whole), of the claims of our citizens for the illegal capture and confiscation of their property some thirty years ago. We expressed the opinion, soon after the occurrence of the French revolution of 1830, that that event was decidedly auspicious to the adjustment and final allowance of these long standing claims: and we are now to find that our anticipations have been realized. The concession which our minister has stipulated on our part, of a reduction of the duty on French wines, however valuable it may be to France, is one which we should have been willing to see made without any equivalent; and the other, the payment of the claim of Beaumarchais, is only performing an act of justice which, in the opinion of many of our most enlightened countrymen, ought to have been rendered by our government long ago.

[Nat. Int.]

From the New York Mercantile Advertiser.

Simeon Draper, esq. of this city, passenger in the ship Formosa, capt. Orne, arrived on Thursday evening, is the bearer of despatches from Mr. Rives to our government. Among the despatches is the treaty lately concluded with the French government by our minister at Paris. An article appeared in the Journal du Havre of 5th July on the subject of this treaty, which is not only premature and unauthorized, but incorrect in many of its details. We learn by Mr. Draper, who obtained his information from Mr. Rives, that the amount of claims to be paid by France for spoliation of American property, is twenty-five millions of francs, payable in six equal yearly instalments, with interest at the rate of 4 per cent. per annum, from the date of the treaty being ratified by our government, which interest will swell the amount to about twenty-eight millions five hundred thousand francs.

Mr. Rives has stipulated, on behalf of our government, the payment of one million five hundred thousand francs, in settlement of the Beaumarchais claims;

That wines, (white and red) shall be admitted in our country on the following terms:

Wines in bottles shall pay 20 cents, in place of 50, in casks 10 15.

All other wines, now paying 10 cents, shall be admitted at 6 cents duty.

The French government, on their part, stipulate to relinquish all the Louisiana claims; that American long staple cotton shall be admitted at 20 francs per 100 kil. (the same duty as short staple pays), in place of 40 francs, as now charged.

We have yet no positive information as to the classes of claims that are admitted, and therefore prefer not to touch upon the subject, though we are well aware that much anxiety prevails on this head.

The famous O. P. Q. correspondent at Paris, of the London Morning Chronicle, pays a high and well deserved compliment to Mr. Rives, for his zealous attention to the interest, of his country. He "seized the lucky moment," and has met with much, if not complete success—the revolution of three days having introduced new men and new rules of action into the government of France.

We are at a loss to understand the part which relates to a regulation of our tariff—though entirely willing that French wines should be introduced on the most liberal terms, a rightful reciprocity being extended towards our productions.

Paris, July 16. Mr. Rives, the talented, amiable, and respectable minister of the United States of America in this country, has just concluded, on the behalf of his government, a treaty with France, on the subject of the claims of the former on the latter state, in respect of American merchant vessels seized and confiscated in execution of the decrees of Berlin and Milan. This claim has been made by the American government ever since 1810, but always without effect. Napoleon evaded it; Louis XVIII shuffled it off; Charles X always talked of a more convenient season: but the government of Louis Philip has done justice to the claims of the federal government. These claims have been ably asserted and vigorously defended by Mr. Rives, who, although he labours under the disadvantage of speaking the French language most imperfectly, has yet written the most able and convincing letters, and which, when published, will do him great justice, as they have done the state some service.

The claim, as you know, is not made on behalf of the state, but on behalf of American merchants, and has been finally settled at one million sterling; from this £50,000 will be deducted to repay certain French citizens for the losses they also sustained in consequence of seizures made by the American government. In return for these concessions on the part of France, the American government has consented, by its minister, to a reduction for 10 years on the importation duty on French wines, and to further proportional reduction, should the American government reduce the duties on other foreign wines. France, on the other hand, is to admit long and short silks in her ports on paying the same duty, which will be advantageous to American commerce. The basis of this treaty is mutual concession. It is just, honorable and wise. The American government will ratify it with pleasure, and the French chambers should receive it with satisfaction. It is the first act of M. Sebastiani that I can unhesitatingly approve since he has been named minister of foreign affairs, and it is a treaty which reflects great credit on the zeal, patriotism, and talent of the American minister at Paris, Mr. Rives. This treaty will have the effect of yet further endearing France to America, and will tend to cement that which ought to exist between two free and enlightened nations. I will hope that France and Great Britain will soon be bound together by a treaty of commerce on a broad and liberal principle, which shall destroy jealousies, remove prejudices, and lead to an alliance in favor of liberty and civilization.

The Salem (Mass.) Gazette says that the 5,350,000 dollars, which France has by treaty agreed to pay in full satisfaction of the claims of our merchants for spoiliations, "will probably give but a small per centage upon the actual amount of the claim. The capture, plunder, and wanton destruction of American ships and merchandise by the French, were estimated, some years ago, by the late Thomas Fitzsimons, of Philadelphia, at fifty millions of dollars: to wit—twenty millions under the orders of the directory and their agents, and thirty millions during the imperial reign of Bonaparte. These estimates were made with great care, by a well informed and judicious merchant, and probably approach the truth."

NATIONAL ASSOCIATION, Of friends of the American System.

The attention of the friends of the American System, (says the Boston Courier), is solicited to the following document. The free trade party are using great exertions to produce an excitement that shall cause a reaction, if possible, in the public mind and reduce the country back to its state of colonial vassalage—rendering it dependent on Great Britain for the supply of its most ordinary wants. These efforts ought to be met by corresponding efforts on the part of those who live by the labor of their hands, the farmer, the mechanic, the manufacturer—of all who feel it a duty and a pleasure to cherish the institutions of their own country in preference to those of foreign nations, and to reciprocate the benefits of trade and commerce with their neighbors rather than with smugglers and the agents of foreign manufacturers. It is important that the recommendation in

the letter of the committee, to form a state association, auxiliary to the national society, be acted upon without delay. The enemy is in the field, and has grown bold in consequence of the apparent indifference of our friends. Let us not be overpowered without an attempt to preserve existence.

TO THE FARMERS, MECHANICS AND MANUFACTURERS OF THE UNITED STATES.

Fellow-citizens—On the 18th May, 1831, delegates from several of the states, representing the interests of wool growers and manufacturers, assembled in the city of New York and organized a convention, by the appointment of the hon. NATHAN WILLIAMS, of Utica, New York, as president, and Messrs. HENRY SHAW, of Massachusetts, and SAMUEL D. HUBBARD, of Connecticut, secretaries. The deliberations of the convention resulted in the adoption of two reports, with accompanying resolutions, which have been spread before the public.

The first of these reports disclosed an examination into alleged frauds upon the revenue in the importation of woolen goods, and concluded by the appointment of a committee, to investigate and expose the daring attempt to evade the laws of the land, by foreign agents and their affiliated associates in this country. That committee is now executing its trust. Agents are on the alert both in Great Britain and elsewhere, and facts have already come into their possession involving extensive frauds; clearly demonstrating that a course of deception and perjury is systematically pursued, the inevitable effect of which is to undermine the industry and blight the prospects of the manufacturer and wool grower. The brief allusion to the labors of the committee, seemed but an act of justice, while the nature of its pursuits forbids, for reasons which the public will approve, a more detailed account of its plans and operations.

The second report adopted by the convention, enumerated some of the various reasons for the organization of a national association of farmers, mechanics and manufacturers, with branches in the states, and concluded with a resolution appointing the undersigned a committee to address the public on the object and design of the proposed association. In discharging the duty confided by the resolution, the undersigned would in the first instance refer to the principle and practice of our government, as a full and complete justification of the convention. But who that reflects will require us to justify? Our government rests upon the principle that the people possess the sovereignty, and our practice under that government, as well as in all the mixed regulations of society illustrates it. Feeling the influence of government so slightly, whenever our rights are invaded, our interests threatened, or our advance in improvement impeded, we as a people, naturally fall back upon ourselves, and in the elements of society, combined in primary assemblies or associations, gather up and embody opinion as the appropriate means of redress. We take upon ourselves a responsibility in this way, which in all other governments the people have confided to their rulers, and acting under its just obligations, accomplish purposes towards which the government has been found careless or indifferent. How delightful is the theory of that government which admits the right to associate without the imputation of revolt, and finds itself strengthened by any legitimate movement of the people. Justified by considerations of this nature, the convention resolved to form a national association of agriculturalists, mechanics and manufacturers.

In extending an invitation to these several branches of industry to assemble for the purpose of organizing an association, it becomes us to explain its object. It is simply this—to develop the resources and increase of the productive industry of the country by the protection and improvement it will afford. Protection, by the continuance of the American System on its broadest principles. Improvement, by the maintenance of social intercourse on the footing of equality. The mechanics of this country constitute a body of intelligent and industrious men—they are scattered over the whole land—no branch of industry can prosper without their agency. To the stock of a nation's wealth, they bring their full proportion. By their personal efforts they swell to an

Immeasurable extent the stock of a nation's comforts. The values which the mechanic produces are, from the very nature of his situation, small in the detail, but the aggregate swells beyond computation. Though so essential, he is so mixed with all the relations of society as apparently to have no separate social existence. To bring this class of working men up to a level of perfect equality with their fellow-citizens; to apprise them of their importance in society; to enable them to compare their labors, and thus to improve them; to make them acquainted with each other, and thus give them identity as a body; to inquire how and to what extent they are protected by the laws, are among the objects of the national association.

To the manufacturers, little need be said to enlist them in the support of an institution designed to establish a brotherhood of laborers on the principle already suggested. The capital they employ; the deep dependence of that capital upon the movements of the government; the embarrassments witnessed and felt by the evasions of the law designed to sustain them, and through them the other branches of industry, must admonish them that any measure which combines in harmonious action the industry of the country, must, in the nature of things, add to their security. Nor is this general consideration the only obvious inducement. The reasons urged to the mechanics apply equally to them. The manufacturers, like the mechanics, of whom they form a part distinguished only by the greater extent of their labors, are spread through the country without a medium of communication and ignorant of each other's wants, capacities and pursuits. The present state of the cotton manufacture, arising from the diversified labor of the looms, compared with what it was two years since, when nearly all were employed on the same fabric, might suffice to illustrate our position; but we would call to the recollection of the manufacturer and the wool-grower the price of wool three years since, reduced below the cost of producing, and compare it with the present advance. Fluctuations like these result from a total ignorance of the supply to meet the demand, and are not more disastrous in the low years to the producer, than in the high years to the consumer. To prevent evils of this description, by a frank disclosure of each other's pursuits, by collecting the facts that belong to the subject, and diffusing them, will form a prominent object of the association.

To the great body of the agriculturists, the association will be the medium of communicating the wants of the manufacturer. But more especially to that portion of them engaged in the growing of wool. It will affiliate them with those employed in manufacturing, and by placing them both in possession of each other's wants and capacities, create an identity and uniformity of interests, a confidential relationship, which all the base insinuations of wayward and interested speculators will be unable to shake. By reaching with all necessary accuracy the amount of wool manufactured, and the amount produced, both interests will be enabled to adjust, without loss to either, the supply to the demand. It will bring each acquainted with the cost of producing, and thus enable them to settle the scale of prices upon the basis of reciprocal profit. It will extinguish a race of hungry speculators who thrive the best upon excessive fluctuations, and therefore contrive to create them—who gamble in the productions of the farmers, and raise or depress the prices as best suit the game they are playing, and who violate every moral principle by endeavoring to excite prejudice between those, who, if they thrive at all, must thrive by mutual confidence. To the farmers, therefore, and particularly the wool growers, the undersigned appeal, confident that they will not refuse to unite in the councils of their fellow laborers.

It cannot be concealed, even if it were desirable, that in the great branches of manufactures of iron, cotton and wool, reliance is placed upon the fidelity of the government, not only in maintaining *in all its parts*, the present judicious tariff, but in a vigilant execution of its provisions. But in our country experience has evinced that all laws, however judicious, can only be executed by the agency of public opinion. This is the police that directs its sleepless energies to the detection of offenders. It is indispensable that its agents be enlightened. The as-

sociation will contribute to this object. It will exert a vigilance in detecting the movements of those who seek to abolish a system by which the capital and labor of millions in amount is now sustained.

By its suggestions it will aid the government in detecting those frauds through which the treasury is annually robbed of millions. Through the medium of its reports it will collect and diffuse a vast body of statistical facts, not more important to the members of which it is composed, than to the government itself. It will afford a medium of communication and furnish facilities for social intercourse and the interchange of kind offices between the farmer, mechanic, and manufacturer that cannot fail to be mutually useful.

Such, in brief, are among a multitude of considerations that led the convention to recommend the organization of a national association. The undersigned would beg leave to direct the attention of the friends of the American System to the efforts, the unprecedented efforts which their opponents are now making, as an additional reason for rallying in defence of their principles, the dearest interests of the country. The object is obvious, and will those by whose labor the nation is not only sustained but enriched, quietly allow themselves to be deprived of those rights to which they are entitled in return for the blessings they confer? Renouncing all political action, except so far as a maintenance of the tariff as now adjusted may be deemed political, the committee respectfully, but earnestly call upon agriculturists, mechanics, and manufacturers, to assemble in the capitals of the several states, districts, or territories, on the last Wednesday of September next, by delegation or otherwise, there to appoint delegates three times the number of the state delegation in congress, and in equal proportions among the three great laboring interests of agriculture, mechanics, and manufactures, to meet in Clinton Hall, in the city of New York, on the second Wednesday of October following, for the purpose of organizing a national association, and also to establish branches in the several states, districts and territories represented.

HENRY SHAW,
PETER H. SCHENCK, } committee.
SAM'L D. HUBBARD,

New York, August 15, 1831.

Resolved, That the hon. N. Williams, Jacob T. Walden, Zachariah Allen, and E. H. Robbins, be a committee respectively to invite the mechanics, manufacturers, and the agriculturists in the several states, and in the District of Columbia, to appoint delegates to assemble in the city of New York on the second Wednesday of October next, for the purpose of organizing a NATIONAL ASSOCIATION.

New York, May 30, 1831.

In conformity to the above resolution, appointing us a committee for that purpose, we have the honor to transmit herewith a statement of the proceedings of a convention of manufacturers and others, recently held in this city, to which we invite the attention of the friends of the cause of national industry in your state.

We hope that you will personally take the proper steps to organize a state association, auxiliary to the national association, and that your state will send delegates to meet in this city, in October next, in conformity to the recommendation of the convention on that subject. Very respectfully,

N. WILLIAMS,
JACOB T. WALDEN, } committee.
ZACHARIAH ALLEN,
E. H. ROBBINS,

COMMODORE ELLIOTT.

We copy from the *Pennsela Gazette* the following address made by Judge Brackenridge to com. Elliott, on his departure from that station, with the reply. It is always a grateful duty for us to notice such manifestations of respect, as we have generally observed, (and we say it with national pride) that the urbanity of manners, the firmness of character, and the correct deportment of most of our naval officers, make them popular (and we think deservedly so) wherever they are, and we trust they will ever continue loved and respected by our friends, and feared by our enemies.

Departure of commodore Elliott.

This distinguished officer, on his embarkation, was accompanied to his boat by a numerous cortege, consisting of the most respectable inhabitants of the city. Just before stepping into his boat, he was addressed in the following terms by judge Brackenridge.

"Commodore—In behalf of the gentlemen present, permit me to express their regret, and to which I will add my own, that you are about to bid us adieu, and to quit the station, where you have commended with so much honor to yourself and to your country. Your deportment as an officer and a gentleman, has been such as secure our respect and esteem. In your transactions, and in your local intercourse, we have ever found you just and liberal, as well as affable and conciliatory. In your official character, we are sensible, that you have been a warm and sincere friend to Pensacola, and that you have earnestly recommended this place as the most suitable situation for a naval depot, upon which it must chiefly depend for its future growth and prosperity. For this you are entitled to the thanks of all its citizens.

"We are aware, sir, of no circumstance which can justly subject you to blame, much less to censure. Permit us to wish you a prosperous voyage, and a speedy return to the bosom of your family. We sincerely hope that, in our bidding you farewell, it is not for the last time, but that we may again have the pleasure of taking you by the hand on this spot."

The commodore made the following reply:—

"Gentlemen—The mark of respect which as citizens of Pensacola, you have been pleased to tender me, on a temporary absence, called for by a discharge of my public duty, cannot but leave in my mind a favorable impression. I pray you, therefore, gentlemen, to feel assured, and to carry the expression to each of your families, that I shall look back with pleasure to the time I have sojournd among you. I trust the day is not distant, when every cause calculated to retard the prosperity of your town will be removed. I have been delighted with its splendid situation, and have done all in my power to do justice to its naval advantages. Accept my best wishes for your individual happiness, and the reciprocated hopes, that, at some future day, if kind Providence should spare us, we may meet again on this spot."

After the boat had put off, three cheers were given from the wharf, and returned by the brave tars.

TERRIFIC HURRICANE AT BARBADOES.

The New York Post contains a letter from the consulate of the United States at Martinique, just received by the collector of New York, accompanied by a gazette extraordinary, issued from the Barbadoes Mercury office, bearing date August 13, giving an account of the ravages of one of the most terrible hurricanes of which we remember to have heard. It passed over the ill fated island of Barbadoes on the night of the 10th inst. and in eight hours left it desolate, covered with ruins and dead bodies. A letter to the American consul at Martinique, dated August 15th, says—"This island, I much fear, is ruined, and it will be impossible for us to recover."

*Consulate of the United States of America,
St. Pierre, Martinique, 15th Aug. 1831.*

SIR—The British government brig, the "Duke of York," has this moment arrived from Barbadoes, bringing the painful intelligence that that island had been almost entirely destroyed by a hurricane on the 10th inst. Fortunately I have obtained a paper, which I now forward. It, however, gives but a poor idea of the damages and losses sustained, as appears from the memorandum on the back by a gentleman of high respectability. Private letters estimate the number of lives lost at between four and five thousand, and great fears are entertained lest the effluvia from the bodies under the ruins, (putrefaction having already commenced), may add disease to famine and want. Many of the inhabitants who have ever been accustomed to the luxuries of life, are now without clothing or shelter. Referring you to the newspaper, I have the honor to be, sir, in haste, your obedient servant.

JOHN S. MEIRCKEN.

To the collector of any port in the United States.

The following is a description of the hurricane and its devastations, which we copy from the gazette above mentioned:

"On Wednesday evening the 10th, about 7 o'clock, the wind blew very fresh at north, the clouds began to collect thick in the N. E. passing away in scuds as fast as they collected, with a rapidity of motion almost incredible. They continued to do so until about 9 o'clock, when the sky became bright, and almost a perfect calm succeeded. At about half past 10 o'clock the same fatal night, the wind again began to spring up, blowing pretty fresh from the S. W. shifting backwards and forwards from this point to N. W. and increasing in violence every instant, and continued till about five the following morning, (by which time the work of destruction had been completed), when it shifted again to S. E. and blew exceedingly strong till about half past eight, when it somewhat abated in violence and gradually died away, leaving the whole island one unvaried scene of desolation and distress. In Bridgetown there is scarcely a house which has escaped injury—hundreds have been razed to the ground, and many of the inhabitants buried under the ruins, others unroofed and partly thrown down so as to be completely untenable. Trees of immense size and strength were either uplified by the roots or bereft of their branches. All the vessels in Carlisle's bay were driven from their moorings and thrown on shore. At the outer ports in Speights, the Hole and Ostin's towns, every house has either been thrown down or rendered untenable—their inhabitants sharing the fate of the numberless victims who have been crushed to death. In the country, the whole face of nature is changed—on the plantations, almost without a single exception, the buildings, mills and negro houses have been destroyed, and many of them have suffered materially in slaves and cattle.

"The provisions which had been housed, as well as the standing corn and canes in the fields, have been so completely destroyed as scarcely to leave a vestige behind, and to add to the heart-rending picture, at this moment, many of the estates are without a single article of food of any kind. No force of language can indeed convey an idea of the horror and distress every where observable throughout the island; and which, every way the eye is turned, the heart grows dim and the heart becomes faint at the saddening and sorrowful picture. Many of the opulent and respectable families, as well as those of the middling and poorer, by this melancholy catastrophe, having thus been driven out, destitute of a covering—many who the day before were surrounded by their families and comforts, have no where to lay their heads.

"Up to this moment the number of killed has not been ascertained, nor all the unfortunate creatures who have been inhumed in the fallen dwellings taken from beneath them. The interval of time between Thursday morning and the present, has been employed by the living in burying the dead. The bodies which have been discovered have been borne through the streets to their silent and narrow homes in coffins, trees and whatever else could be obtained for them. Amidst numberless other distressing cases of this kind, it is our painful duty to notice the melancholy late of deputy-assistant-commissionary-general Flanner, who, with his wife, five children, his niece and two servants, were all buried under the ruins of their dwelling on Wednesday night, from which they were not taken until the following morning—his unhappy wife and two of the children alone have survived. At St. Ann's, many of his majesty's troops have been killed and upwards of 100 wounded by the falling of the barracks.

The most remarkable phenomenon attending the storm of Thursday morning, was the sudden gusts of wind, which, instead of thunder, invariably accompanied the most vivid flashes of lightning, and came with a force not to be withstood—Hollow, subterranean noises were also heard, and some imagine we were also visited during the night with earthquakes—this, however, we do not vouch for, as we were not sensible of them.

"We have hastily thrown together these few particulars, amid the scenes of indescribable horror and confusion, and shall continue to furnish such additional ones

as may reach us. The following is a list of the vessels stranded in the bay:—Barks Irelam and Arethusa; brigs Exehange, Quebec, Decagon, Mary, Keziah, Alliance, Antoinette, Horatio Nelson, Elire; brigantines Samuel Hinds and Heroine; schra. Ark and Perseverance, mail boats Barbadoes and Montague."

Here ends the account of the Barbadoes paper, but the letter of the 15th says, of one of the vessels above mentioned:—"The American brig Antoinette is on the beach, with 200 puncheons of meal entirely lost."

SPEECH OF THE KING OF THE FRENCH.

*From the Messager des Chambres, dated July 24.
CHAMBER OF DEPUTIES—ROYAL SITTING.*

As early as eight o'clock in the morning, the crowd assembled round the chamber, the doors of which were not opened till noon; the two first rows of the reserved galleries were occupied by elegantly dressed ladies, the gentlemen were seated behind. The hall was fitted up in the same manner as for the royal sitting in 1830. On the right and left of the throne, which was erected in the place of the president's bureau, were seated the dukes of Orleans and Nemours. Below the throne, to the right and left, were the seats of the ministers, and immediately below them the marshals of France. The seats of peers were but scantily occupied. We remarked Messrs. de Broglie, de Cases, Pasquier, Roy, Portal, the duke de Choiseul, Simonville, Talara, &c. The left side, allotted to the deputies, was entirely filled. Messrs. Lafayette, Guizot, Dupin, Lafitte, Royer, Gillard, Mauguin, Ch. de Rémusat, Thiers, Vienne, and a great many other deputies took their usual seats.

A great number of strange faces was observed on all the benches. Among the new deputies we particularly remarked Messrs. Arago, Paulfre, Merilhou, &c.

At one o'clock, a salute of artillery announced the arrival of the king: the deputations went to meet him.

The queen, accompanied by her children, and madame Adelaide, was introduced into the gallery reserved for her near that of the diplomatic body.

Immediately afterwards the king, dressed in the uniform of the national guard, entered, preceded by the deputations of the two chambers, and followed by a numerous staff. Cries of "vive le roi!" rose in the hall. His majesty having uncovered, took his place on the throne, having on his right hand the duke of Orleans in the uniform of a colonel of hussars, and the duke of Nemours in that of a colonel of lanciers.

The king, still uncovered, said to the peers and deputies, "gentlemen, be seated." He then put on his hat, and delivered the opening speech in a firm voice.

"Messrs. the peers and gentlemen deputies—

"I am happy to find myself amongst you, in the centre of this place where France has received my oaths.

"Penetrated with the duties which they have imposed upon me, I shall always give effect to the national will, of which you are the constitutional organs, and I expect on your part the frank and entire co-operation which will assure to my government that strength, without which it will be impossible to answer the expectations of the nation.

"I have said, gentlemen, that the charter shall be a truth: what I have said is accomplished; the charter is the constitutional monarchy with all its conditions loyally maintained, with all its consequences frankly accepted. (Lively applause.)

"It is true that by the uniform action of all the powers of the state, we shall put an end to those prolonged agitations which feed the guilty hopes of those who work for the return of the fallen dynasty, or of those who dream of the chimera of a republic. (Loud applause from the chamber here interrupted his majesty, and loud cries of 'long live the king!') Divided upon the object, they agree, however, in the will to overthrow, no matter at what price, the public order, founded by the revolution of July, but their efforts shall be disconcerted or punished. (Fresh applause.)

"In calling me to the throne, France has willed that the royalty shall be national; it did not desire that royalty should be powerless. A government without strength would not suit the desires of a great nation.

"I have just returned from travelling in France; the proofs of affection which I have received in this journey

have very deeply touched my heart. The wishes of France are present to my thoughts: you will aid me to accomplish them. Order shall be protected; liberty be guaranteed; and every factious effort confounded and repressed. Thus, that confidence will be renewed for the future which alone can re-establish the prosperity of the country.

"It is to carry this into effect, it is to consolidate more and more the constitutional monarchy, that I have caused to be prepared the different projects of laws which will be proposed to you.

"You will, I hope, recognize in that which has for its object the decision of a great constitutional question reserved by the charter for the examination of the chambers, that I always seek to put our institutions in harmony with the interests and wishes of the nation, enlightened by experience and matured by time.

"You will have likewise to examine, conformably to the promise of the charter, the projects of the laws destined to complete the departmental and municipal organization, to determine the responsibility of ministers, and of other agents of government, and to regulate the liberty of instruction.

"Some other projects of laws upon the recruiting of the army, upon the penal code, upon finance, and on different public interests, will be equally submitted to you.

"I admit the whole extent of the sufferings which the actual commercial crisis has caused to the nation: I am afflicted at it, and I admire the courage with which they have been borne. I hope that they now approach their determination, and that soon the consolidation of order will give the necessary security to the circulation of capital, and restore to our commerce and industry that spirit and activity which, under a government always guided by the national interests, can only be momentarily interrupted.

"The state of our finances is satisfactory: if our wants are great, abundant resources are exhibited for their aid.

"The annual budgets for 1831-1832 will be presented to you in the opening of this session.

"Reductions have been made in the different branches of the administration. They would have been carried still farther, if the increase of our means of defence, and the development of our military force, had not, up to this time, imposed upon us great sacrifices. (Bravos.)

"I shall hasten to diminish this burden as soon as I have acquired the certainty of accomplishing it without compromising the dignity and safety of France.

"This certainly will depend upon a general disarmament. France desires this, the governments of Europe will feel its necessity,—the interest of all requires it.

"I have the satisfaction to announce to you, that up to the present time I have not been under the necessity of employing all the resources which the chamber had placed at my disposal.

"Since the revolution of July, France has regained in Europe the rank which belongs to her. Nothing, henceforth, shall wrest it from her. (Bravos.) Never was her independence better guaranteed: our national guards, who are worth armies—our armies, the fit depositories of the inheritance of our ancient glory—will defend this independence as they have hitherto protected our internal peace and liberty.

"I have to felicitate myself upon the amicable relations which foreign governments preserve with mine.

"We ought to seek to preserve the bonds of friendship, so natural and so ancient, which unite France to the United States of America. A treaty has terminated a controversy for a long time pending between two countries which have such claims for mutual sympathy.

"Other treaties have been concluded between the Mexican and Haytian republics.

"All these acts shall be communicated to you as soon as they have been ratified, and when the financial stipulations which they contain shall be submitted to your sanction.

"I have given new orders to our cruisers to assure the execution of the law of last session, for the more effectual suppression of the slave trade.

"As soon as I demanded it, the troops of the emperor of Austria have evacuated the Roman states. A real am-

cestry, the abolition of confiscation, and important changes in the administrative and judicial system, have been given. Such are the ameliorations which will, we hope, assure to those states, that their tranquillity shall be no longer troubled, and that the equilibrium of Europe will be preserved by the maintenance of their independence.

"The kingdom of the Low Countries, as constituted by the treaties of 1814 and 1815, has ceased to exist. The independence of Belgium, and her separation from Holland, have been acknowledged by the great powers. The king of the Belgians will not form part of the German confederacy. The fortresses raised to menace France, and not to protect Belgium, will be demolished. (Loud applause here again interrupted the speech.) A neutrality recognized by Europe, and the friendship of France, will assure our neighbors an independence of which we have been the first support.

"The power which rules in Portugal has committed outrages on Frenchmen—it has violated against them the laws of justice and humanity; to obtain redress vainly demanded, our ships appeared before the Tagus. I have received intelligence that they have forced the entrance of that river; satisfaction, up to that time refused, has been since offered. The Portuguese ships of war are now in our power; and the tri-colored flag floats under the walls of Lisbon. (Great applause, and cries of 'long live the king!')

"A sanguinary and furious conflict is prolonged in Poland. The conflict excites the liveliest emotions in the heart of Europe. I am endeavoring to put an end to it. After having offered my mediation, I have sought to induce that of the great powers. I have wished to stop the effusion of blood; to preserve the south of Europe from the evils of the contagion which this war is propagating; and, above all, to assure for Poland, whose courage has recalled the old affections of France (cries of 'bravo,') the nationality which has resisted all time and its vicissitudes. (Loud applause.)

"You will doubtless judge, that in these difficult negotiations, the true interests of France, the interests of her prosperity, of her power and her honor, have been defended with perseverance and dignity. Europe is now convinced of the loyalty of our disposition, and of the sincerity of our wishes for the preservation of peace; but it is also with the demonstration of our strength to sustain a war, that we rely, should we be called upon to resist unjust aggression.

"It is in persisting in the political system followed up to this time, that we shall be able to assure our country of the benefits of the revolution which has saved our liberties, and to preserve them from new commotions, which would at once compromise our existence and the civilization of the world.

"We approach, gentlemen, the great anniversary. I shall with satisfaction see you joined with me in its solemnities. May they be grave and touching commemorations, to awaken sentiments of union and concord, which can alone constitute our triumph."

The speech appeared to produce a great effect upon the assembly.

The sitting was closed in the midst of cries of "long live the king."

The king was received throughout his passage from the palace to the chamber with great popular applause. He was dressed in the national guard's uniform, and attended by a grand military cortege, composed of the marshals of France, and a number of the other general officers.

The king left the palais royal at one o'clock and departed from the chamber of Paris at two o'clock.

END OF THE BELGIC REPUBLIC.

REGENT'S SPEECH TO THE BELGIAN CONGRESS.

"Gentlemen,—By your decree of the 24th February last, and conformably to the 55th article of the constitution, you did me the honor of appointing me regent of Belgium. On the 25th I had the honor of being admitted into the bosom of the congress, and of solemnly taking the oath prescribed by the 56th article of our social compact.

"My first cares were to compose a ministry. I called to it the same individuals to whom the preceding government had entrusted the branches of the general administration. It was in confirming in their high functions the same men who had so perfectly aided in acquiring and consolidating our liberty that I wished to give to the nation a first pledge of my entire adhe-

sion to the principles of our revolution, and of my firm resolution to secure the enjoyment of all its consequences.

"I caused to be notified to the governments of France and England the decree of the 24th February, which nominated me regent of Belgium, and credential letters were delivered to Belgic agents at these two courts with the title and rank of ministers plenipotentiary.

"The French government admitted, without hesitation, our minister, who took rank along with foreign diplomatic agents accredited to the courts of the palais royal. His majesty Louis Philip, did me the honor of addressing to me by his autograph letter of the 19th of March last, congratulations on my accession to the regency, and expressed to me at the same time, and in formal terms, the lively and invariable interest which he takes in Belgium.

"It was by this first act that Louis Philip began to realize the promises which he had made me in February last, when I had the honor of taking leave of him. He then said on taking me by the hand, 'Tell the Belgic nation that I give them my hand in the person of the president of the congress, and that the Belgians may always reckon on my friendship.'

"We were not so fortunate with the cabinet of St. James's.—Our minister was not received with anything but civility (effusion) by the English ministry; and the national honor not permitting me to leave him longer in an equivocal situation, I ordered him to be recalled.

"The ministry, in the mean time, wishing to put an end to the unsatisfactory result of the provisional state of a regency, and to close by a definitive government, had recourse to our agent in London instructions to sound the dispositions of his royal highness the prince of Saxe Coburg, but obstacles of mere etiquette paralyzed the intended effects.

"In the interval other men were called to the ministry, and the new ministers followed the indirect proceedings of their predecessors.—I then stated on that subject is known to you. You know, gentlemen, how the happy iteration has been brought about, at which we are this day present.

"I shall not, gentlemen, detain you with any observations on the acts of my regency. I shall confine myself to saying, that the effervescence of the passions incidental to our revolutionary state, the stagnation of commercial business, anxiety about the future fortunes of our country, have brought about events and caused arrangements which have prevailed and the government from occupying itself as efficaciously as would have been desirable, with the institutions which are destined to complete the work of our political regeneration.

"In the state of threatened hostilities with our neighbors, the government was under the necessity of devoting its chief attention to the army. The infantry has been considerably increased and organized the formation of the cavalry has been completed, the artillery has been put on a respectable footing, the service of the commissariat, of the hospitals, and of transports, has been secured; and, finally, by the side of the regular army another army is formed in the ranks of the civic guard, equally impatient to measure its strength with the enemy.

"The concert of all the citizens, who, forgetting the spirit of party, are going to raise themselves to one point, will not contribute less to the courage and excellent spirit of our army, to support negotiations, to obtain an honorable peace, to consolidate our independence, and, if need be, to defend the integrity of our territory.

"Our finances are in as prosperous a state as circumstances would permit, and the levy of the taxes is effected as easily as in profound peace.

"If I have been, gentlemen, happy enough to aid in leading into port the vessel of the state, (for I regard the accession of prince Leopold to the throne of Belgium, and the recognition of him by the majority of the great powers of Europe, as the termination of our glorious revolution and the establishment of our liberties), if I have been able to accomplish any good, far be it from me to ascribe the merit to myself. No, gentlemen, I claim only the smallest share; for I confess, in the face of the nation, all Europe, that without the special protection of Providence, no human prudence could have foreseen either the events or their results, nor could it have directed them in the interests of our country.

"It was likewise in the noble firmness of the congress, and in the wisdom of our deliberations, that I have found the most powerful support.—Permit me, therefore, gentlemen, to address to you the expression of my lively and sincere gratitude.

"But, gentlemen, let us declare that our task has been rendered very easy, by the excellent qualities of the Belgic people—a people as submissive to the laws, as docile to the voice of the chiefs who deserve its confidence, as it has shown itself jealous of its rights and impatient of the yoke of arbitrary power—of that people so courageous in battle, so firm in its resolutions—of that people essentially moral, of whom history will say, that during eleven months of revolution, and of privations among the most numerous clans, with the exception of some excesses evidently provoked, there were never fewer crimes; of that people whose devotion and love will always be the recompense of a good government.

"It is with the most perfect security, gentlemen, that I commit the destiny of this good people to the hands of a prince whose noble character and private virtues are the best guarantees for those which he shall display from the throne.

"With the most heartfelt emotion I may now say, I have seen the dawn of happiness opening on my country. I have lived long enough.

"I deposit in your hands, gentlemen, the powers which you had conferred on me, and I beg you to be so good as to record my declaration."

BELGIC FORTRESSES.

A line of strong fortresses on the southern frontier of Belgium, had been established by the great allied powers, to keep France in check. These are to be razed, as appears by the following protocol, officially transmitted to the plenipotentiary from France:

Protocol of a conference held at the foreign office, April 17, 1831, between the plenipotentiaries of Austria, Great Britain, Prussia, and Russia.

The plenipotentiaries of Austria, of Great Britain, of Prussia, and of Russia, having met, have directed their attention to the fortresses constructed since the year 1815, in the kingdom of the Netherlands, at the expense of the four courts; and to the determinations which it would become necessary to take with respect to these fortresses, when the separation of Belgium from Holland shall have been definitively effected.

Having carefully examined this question, the plenipotentiaries of the four courts were unanimously of opinion, that the new situation in which Belgium would be placed, with her neutrality acknowledged and guaranteed by France, ought to change the system of military defence which had been adopted for the kingdom of the Netherlands; that the fortresses in question would be too numerous not to make it difficult for the Belgians to provide for their maintenance and defence; that, moreover, the unanimously admitted inviolability of the Belgian territory offered a security which had not previously existed; finally, that a part of these fortresses constructed under different circumstances, might at present be razed.

In consequence, the plenipotentiaries have finally decided, that as soon as a government shall exist in Belgium, recognized by the powers taking part in the conferences of London, a negotiation shall be set on foot between the four powers and that government, for the purpose of selecting such of the said fortresses as should be demolished.

(Signed)

ESTERHAZY, WESSENBURG,
PALMERSTON,
BULOW,
LIEVEN, MATUSZEWIC.

SPEECH OF KING LEOPOLD.

Prince Leopold, on his way to Brussels, was the following day received with the marks of respect and esteem which he deserved on account of his installation, and report of his speech on the occasion, is copied from the *Moniteur Belge*:

Brussels, July 22. After the king with the procession had arrived at Brussels, and proceeded to the platform, where the congress was ready to receive him, according to the programme before published, the president of the congress having caused the acclamations of the multitude to cease, declared the sitting opened, and addressing the king, said—

“Sir—We are met to receive the oath presented by the constitution. I shall first invite the king to speak, who will resign his authority into the hands of the congress.”

The king then rose, and turning towards the king, delivered the following speech which has been already published.

M. de Gerlache standing opposite to M. S. de Chokier, replied to him in the following terms—

“Sir, the right—When I told you five months ago, in the midst of the congress that elected the temporary head of the nation, your nomination was ratified by the unanimous acclamations of your former colleagues, and the whole Belgic nation—that this spontaneous elevation was a tribute paid to your virtues by your equals and professors of profound gratitude for the services that you have rendered to the country, and an appeal to new services—we could easily judge from your preceding conduct, what line you would have followed in the elevated situation to which your colleagues and the whole nation raised you.

“To have enjoyed great power without having for a moment abused it—to have remained always the same under the most trying causes, is a fact that will appear quite rational to those who know your character. I merely repeat what every body says. History will one day respect the conciliatory part you have acted amidst divergent opinions and fermenting parties. It will say that the national assembly, desiring to place in the hands of an individual, powers till then too much divided, sought for one who should direct, and unify, who should lay the axe and the confidence of all, and be willing to devote himself for his country. You, sir, were this man. History will say that this man having exercised a part of the royal prerogative during a revolution of five months, has not lost a single friend or made a single enemy.

“It is in the name of the congress, and of the nation, that I thank you. I venture to say that you have fulfilled our expectations, which you have just resigned to this assembly.” Loud acclamations followed this speech, after which the constitution having been read by Mr. Ch. Vilain XIV, and the king having taken the oath, and signed the *provisoire verbal*, the president, &c. also signed it, during which time the king took his seat on the throne.

The nine seats which were in front of the throne were removed and his majesty was alone on the upper platform; the right was below; to the right and left of the king were the generals and ministers, who were at first behind his arm chair. The members of the bureau placed themselves on the right and left of the throne; the members of the congress were standing and attentive. The scene was entirely changed, and the new coup d’œil greatly struck the crowd, whose acclamations redoubled. Silence being proclaimed, his majesty delivered the following speech—

“Gentlemen.—The solemn act which has been performed completes the social edifice: commenced by the patriation of the nation and its representatives. The state is definitively constituted in the form prescribed by the constitution itself. This constitution emanates entirely from you; and this circumstance, owing to

the situation in which the country has been placed, seems to me to be fortunate. It prevents collisions which might arise to the detriment of the different powers and impair the harmony that ought to prevail between them. The promptness with which I have repaired to Belgium must have convinced you that, faithful to my word, I have delayed coming among you only till the obstacles which opposed my accession to the throne could be removed by your selves.

“The various considerations which have been adduced in the important discussion which produced this result, will be the subject of my most serious deliberation.

“I have received, from my entrance on the Belgic territory, marks of affection and good will, for which I still feel equal emotion and gratitude.

“At the sight of the population, ratifying by their acclamations the act of the national representation, I could not but be convinced that I was called by the wish of the country, and I felt all the duties that such a reception imposes on me.

“A Belgian by your adoption, I shall also make it my duty to be as Belgian by my policy.

“I have also been received with extreme kindness in that part of the French territory through which I passed, and I have considered these testimonies of good will, which I highly value, as a pledge of the relations of confidence which ought to subsist between the two countries.

“The result of every political communion is to affect for a time the welfare of the people. I am therefore anxious to direct my immediate attention and most active solicitude to the development of the commerce and manufactures, which are the vivifying principles of national prosperity. The relations which I have formed in the countries which are our neighbors will second, I hope, the efforts which I shall immediately make to obtain this end; but I take pleasure in believing that the Belgic people, so remarkable both for good sense and resignation, will give credit to the government for the difficulties of a position connected with a state of distress, which at this moment affects all Europe.

“I intend to avail myself of every kind of information, to encourage all the means of amelioration; and it is in the places themselves that I have already begun to do so, and that I intend to collect the information which is the best calculated to guide the cause of the government in this respect.

“Gentlemen, I have accepted therefore what you offered me only with a view to perform a task equally noble and useful—that of consolidating the institutions of a generous people, and to maintain its independence. My heart knows no other ambition than that of seeing you happy. On so affecting a solemnity, I must also express to you one of my most ardent wishes. The nation grows from a violent crisis. May this day efface all hatred, stifle all resentments; may one only thought animate all Belgians—that of a frank and sincere union.

“I shall esteem myself happy to concert in this noble result, which has been so well prepared by the wisdom of the venerated man, who has devoted himself with such noble patriotism in the salvation of his country.”

“Gentlemen, I hope to be a pledge of peace and tranquility to Belgium; but the expectations of man are not infallible. If notwithstanding all sacrifices to preserve peace, we should be threatened with war, I should not hesitate to appeal to the Belgic people, and I hope that it will, without exception, rally around its sovereign for the defence of the country, and the national independence.”

After the king had declared the sitting closed, and the procession about to return to the palace, his majesty would not again mount his horse, but proceeded to his palace on foot, amidst the acclamations of the crowd.

After the inauguration, the deputies met at the palace of the nation. M. de Gerlache announced that the king would receive the deputies, (those of one province at a time), at 8 o’clock; and that the congress is invited to be present at a *sedes at St. Gudule* to-morrow at noon.

BANK OF THE UNITED STATES.

On the 1st inst. at the triennial meeting of the stockholders of the Bank of the United States, Stephen Girard, esq. officiated as chairman, and John Potter, esq. of South Carolina, as secretary. A comprehensive and luminous report was submitted in writing, by Nicholas Biddle, esq., the president, in behalf of the directors of the bank, showing, in a masterly manner, the condition, the character, and the importance of this great national institution. This able and instructive document will, no doubt, be published. After it was heard, the following resolution was moved by Horace Binney, esq., and the gentlemen who were accordingly appointed a committee, made, in the afternoon, the annexed report, which was adopted without dissent.

Resolved, That the communication made by the board of directors to this meeting, be referred to a committee of seven to report thereon, and that the same committee be authorized to report upon such matters as they may deem to be interesting to the stockholders.

The committee appointed were—H. Binney, Robert Ralston, R. L. Colt, Paul Beck, Manuel Eyre, Joseph Humphill, James Ronalson.

The committee to whom was referred the communication from the board of directors—

REPORT:

That they have verified by a comparison with the tabular statements of the bank, the material facts reported in this interesting paper, and find them to be correct. The reasoning by which the board of directors has deduced from the comparison between the bank and the present prosperity of our country, and has sustained the principles which have regulated the administration of its concerns for many years, requires no com-

ment. All who read the communication, which it is presumed will be given to the public, will discern, for themselves, not merely the actual propriety of this institution, greater and more stable than at any former epoch, but the manner in which its great public and private trusts have been performed, its public trust towards the government and people of the United States, and its immediate private trust towards the stockholders, and those who have confided to it their funds and their credit. The perfect harmony of these interests, under the operations of a bank organized as the Bank of the United States has been by law, and administered as it now is, is believed to be demonstrated; and it would be waste and superfluity in the committee to attempt to add either to the cogency or the variety of the considerations, by which the board of directors has completed the demonstration. The committee will not, however, deny themselves the satisfaction of submitting to the stockholders a few of the inferences, with the communication, taken in connection with the past and known history of the United States and the bank, appears to justify.

1st. That the bank, at its origin, and at great cost and sacrifice, effectually promoted the restoration of specie payments; and that its able administration for several years past, has finally established a currency, as universally sound within the United States as can ever be expected, or as is essential to the general welfare; and that this has occurred in a community, whose currency, for a part of the time, has felt the influence of active, though temporary causes of derangement, and is at all times exposed to danger, by the number and variety of its banking institutions.

2d. That the bank, through the whole course of its operations, has effectually assisted the treasury in the collection and distribution of the public revenue; and that of late years it has been signally efficient in preventing the discharge of the public debt from disturbing the operations of commerce, or the course and value of pecuniary investments.

3d. That the bank, by its judicious intervention in the business of domestic exchanges, has given such facility and regularity to this indispensable instrument of internal trade, that neither the want nor the cost of it any longer exists, to embarrass any operation whatever.

4th. That by its extensive operations in foreign exchange, the bank, for several years held in its hands, and has at times used, with striking effect, the power of arresting all sudden and violent fluctuations in this branch of commerce, and, promises, by the same means, greatly to economize the use of the precious metals in the future trade of the United States with China and India.

5th. That these public services of the Bank of the United States, are the peculiar result of an institution organized and administered as this has been; that the organization of any bank or body whatever, essentially different, would fail in the attainment of most or all of the great objects adverted to; and that an efficient administration is alone necessary to develop the powers and public uses of the bank in its existing form.

6th. That while the bank has been administered for several years upon these principles, which are demonstrably the best both for the public and the stockholders, yet that adverse circumstances at earlier days, and among them, chiefly, the cost and sacrifice attending the restoration of an unsound currency, which an immense loss, that would otherwise have fallen upon the treasury and people of the United States, was assumed by the bank, have prevented the stockholders from deriving the usual returns of money invested at the lowest rate of interest—the original subscribers not having realized an interest equal to five per cent. per annum, paid semi-annually, and subsequent purchasers of the stock at an advance, having generally received no interest.

7th. That the stock of this bank is distributed in such amounts, to such a variety of persons, and for such different purposes and trusts, that all charge or allegation of monopoly by any body of men whatever, is shown to be without foundation; whereas the same circumstances prove the deep and critical interest which widows, orphans, charitable societies, and other trusts, have in the prosperity and continuance of the bank.

8th. That the welfare of this bank is now identified with that of the people of the United States, from those who wield the largest operations of commerce, to him whose interest in the currency does not go beyond the just compensation for his daily labor.

These inferences your committee believe to be sound, and that no material interest which they may have as stockholders, ought to prevent them from using every proper and efficient means to bring them forth. Their proof may be made manifest to all who know the history of the bank and the country, by perusing the communication of the board of directors.

There is one other subject within range of the reference to the committee, upon which they deem it their duty to report.

The charter of this bank will expire by its present limitation on the 2d of March, 1832, and there will consequently be, at one triennial meeting after the present, and that at a point of time too near the expiration of the present charter, to authorize measures in regard to its renewal. It is fit, in the opinion of your committee, that before that meeting, power should be given to the board of directors, to prosecute them if they think proper. This power should be large and definitive, not merely to solicit a renewal, but to abide, if they think right, by the terms on which congress may impose. A board of directors, who have administered the bank in the manner detailed in their recent communication, are safe depositories of the entire power of the stockholders on the subject of a renewal of the charter.

With these remarks the committee terminate their duty, by offering to the adoption of the meeting the following resolutions:

Resolved, That an administration, by which the interest of the stockholders and public are successfully blended, is that system

which is properly characteristic of a bank of the United States; and that to the present able administration of the bank, the stockholders and the public are indebted for the full, efficient, and profitable development of such a system.

Resolved, That the thanks of this meeting be presented to the board of directors for their comprehensive and lucid report upon the operations and present condition of the bank, with an assurance that the stockholders place an unabating confidence in their wisdom and fidelity in the further administration of its concerns.

Resolved, That the confidence of the stockholders continues to be in the able and faithful president of the institution, and that their thanks be given to him for the enlarged and liberal views which have distinguished his administration of the bank, and for the skill with which he has united in its operations, a regard to the public welfare with a steady support of the rights and interests of the stockholders.

Resolved, That if at any time before the next triennial meeting of the stockholders, it shall be deemed expedient by the president and directors to apply to congress for a renewal of the charter of the bank, they are hereby authorized to make such application in the name and behalf of the stockholders, and to accept such terms of renewal as they may consider just and proper.

(Signed) Hor. Binney, Manuel Eyrer,
Robt. Eaton, Joseph Hemphill,
Rowell L. Colt, James Ronaldson,
Paul Beck, Jr.

Bank of the United States, Sept. 1, 1831.

Resolved, That the reports adopted by the stockholders, be referred to the president and directors, for the purpose of being printed and circulated in pamphlet form for the benefit of the stockholders.

The New York Daily Advertiser says, that the following is the substance of the report of Mr. Biddle to the stockholders of the Bank of the United States, at their late triennial meeting in Philadelphia:

Number of stockholders, 4148. The government stockholders having paid for their stock have taken it up.

1469 stockholders own from one to ten shares each; 900 females own 29,000 shares; 320 trustees and executors, 20,000; 126 corporations and charitable societies, 14,300.

More than one-fourth is held in the above manner.

The capital is distributed between the bank in Philadelphia and 25 branches. Since 1817, two branches have been discontinued, and nine new ones created—making an increase of seven in fourteen years. These proceeded from thirty-eight applications.

The situation of the bank on the 1st of August, 1831, was as follows:

Public debt, fund,	3,800,000
Discounted on personal security,	41,600,000
— on funded security,	800,000
— on domestic exchange,	14,400,000
Circulation,	92,300,000
Deposits,	10,300,000
Specie,	11,800,000
Notes of state banks, equal to specie,	2,100,000
Surplus profits,	1,750,000
Surplus provision for bad debts,	369,000
Bonds for bank and 5 per cent. from government, paid and liquidated,	1,705,000
Increase of investments since 1822,	32,280,000
Nett profits for January and July, 1822,	1,459,448
Same for 1831,	2,935,000
Amount of bills bought and sold, and treasury transfers,	98,000,000
Domestic bills bought,	40,372,000
In August, 1822, amount of discounts of bank and branches for domestic purposes,	15,700,000
Same in 1831,	52,000,000

A LETTER FROM MAJOR LEWIS.

Washington, 31st August, 1831.

TO THE EDITOR OF THE GLOBE:

Sir,—Mr. Branch, in a letter dated 22d inst. to the editor of the "Roanoke Advocate," written for publication, says he told major Eaton that if he "would obtain the consent of his brother-in-law, major Lewis, to read a confidential correspondence which passed between major L. and myself, in the winter of 1827-28, on this 'disturbing subject,' he would then be convinced of the distinctness and correctness of my course, &c."

"I might have gone further, and said that major Lewis, in 1827-28, when there could be no unworthy motive to mislead either of us, considered Mrs. Eaton an unsafe associate for his daughter, although he was now endeavoring to induce general Jackson to drive the out of the cabinet, because I would not compel my daughter to associate with her."

I will not stop to inquire by what right a gentleman, and a man of honor, presumes to speak of a correspondence, considered by both parties to be confidential, without asking or obtaining permission. Upon that point I leave him to his own reflections. As to the circumstances adverted to in that correspondence, I have to say, that the gossip tales of this city had reached me in Nashville, and not having the means to ascertain their truth or falsehood, residing, as I did, 500 miles from Washington, it was natural for me to derive information from some friend on the subject, before I permitted my daughter to reside in the family. Major Eaton, under whose protection I placed her while going to school in the city, at that time boarded with major O'Neal, the father of Mr. and Mrs. Eaton.

When I came here, in 1829, I found Mrs. Timberlake the wife of major Eaton, whom I believe to be one of the purest men living. That he had joined himself for life to that lady, was, to me, the strongest evidence of her purity; and having been an opportunity to inquire into the reports I had heard, I satisfied myself that they were totally without foundation. Had Mr. Branch been disposed to tell the whole truth, he would have said, that I had become so completely satisfied, with regard to the subject of my inquiry, that when I brought the same daughter to this city again, one of my first acts was to take her to visit Mrs. Eaton, at whose house we spent much of our time.

The honor of attempting to degrade and drive from society the wife of a confiding and deserving friend upon reports, which to use his own language, "tell the whole truth, he would have said, that I had become so completely satisfied, with regard to the subject of my inquiry, that when I brought the same daughter to this city again, one of my first acts was to take her to visit Mrs. Eaton, at whose house we spent much of our time.

I have only to add, that the charge of my "endeavoring to drive him (Mr. Branch) out of the cabinet, because he would not compel his daughters to associate with Mrs. Eaton," is wholly unfounded; and if Mr. Branch did not know it to be so, he might have known it, if he had made the proper inquiry.

I am, with much respect, your obedient servant.

W. B. LEWIS.

CATHOLICS IN TURKEY.

To those acquainted with the character heretofore committed, upon the slightest pretext, in the name of religion, upon the Catholics in the Turkish empire, and the fanaticism which often excluded them from the exercise of their religious ceremonies in places constructed by them for religious worship, as well as the exactions practiced upon them by the subordinate officers of the porte, and their constant liability of being deprived of their property without the possibility of redress, the following document, will be read with surprise and pleasure.

Translation of the imperial diploma, delivered by the sublime porte, to the Armenian Catholic bishop, at the beginning of the month of Shishan, in the year of Hegira, 1250, corresponding to January 1831, of the Christian era,—from a copy in which the preamble was omitted.

The tributary Catholic subjects of the sublime porte, hitherto deprived of a chief, (bishop), were, from ancient times, dependent upon the Greek or Armenian Catholic dogmas not being conformable to those of the religion professed by the Greek and Armenian nations, the Catholics had to attend the church of the Franks, where their marriages being solemnized, and sacraments administered by other priests, they could not properly observe the precepts of their religion. The sublime porte having discovered that Catholic subjects under our imperial protection have long suffered under these painful restrictions; and considering that it is the duty of the sovereign father of all subjects, to provide for their safety and spiritual peace, we have resolved to relieve our Catholic subjects from those restrictions and sufferings, by permitting them to worship in the churches destined for them, in order that, hereafter they may not be compelled to attend the churches of the Franks; and, in consequence of an imperial rescript, dated the 21st of the month of Rigel, of this year, 1250, we have conferred the title of bishop upon the most illustrious Catholic elect of the nations of the Meshik. The priest Agob, son of Emanuel, and subject of the sublime porte, chosen and elected by the Catholics themselves, and the bearer of the present diploma, on condition that he will pay, in advance, to the imperial treasury, the sum of fifty thousand *aspres* by way of price due to the miri; and that he will, besides, pay annually to the miri, a rent of three hundred and thirty-eight thousand *aspres*. And, by this imperial rescript we have ordained and do ordain, that, generally, all the Catholics of this residence and empire, and each of them, in particular, great and small, do recognise the aforesaid priest Agob, for their bishop; that they do not transgress his commands or disregard his decisions on any subject connected with the dogmas of their religion. That no others do meddle with his affairs. That no one interfere in cases where incumbents having incurred the penalty of removal, their places shall be given to others. The dismissal or promotion of priests shall only take place by virtue of an official representation by the bishops to the sublime porte. Priests who are not provided with a special authorization, shall have no power to consecrate forbidden marriages with infidels or Franks, (these marriages were at all times forbidden by political enactments, though not by religious regulations.)

If any woman of ill fame shall elope from their houses, or if any female ray shall sue for separation, or is to be separated from her husband, no one but the bishop or his vicar shall have power to interfere; and in all cases, of binding or dissolving the matrimonial bond, in all proceedings for divorce, and in contestations between two rays, the bishop shall take cognizance of the same, and reconcile the parties. The police officers shall not interpose, nor impose any pecuniary penalty, to compel the taking of oaths in the mode prescribed by their religion. The estates of ecclesiastics of said nations, dying without heirs, the property of religious females secured by the bishop on account of the miri, shall not be interfered with by any officers of the treasury. What ever shall have been bequeathed by any priests, women or other subjects of the Catholic religion, in behalf of the poor of their churches, or of the bishop to collect the sums due to the miri and to pay them over to the bishop, shall not in any manner be impeded in any place they may visit. No opposition shall be offered to the bishop's hearing his staff of command, or riding any animal he may please; nor shall his domestics be molested, either on account of their dress or costume, or while conveying to the bishop's house, food or the produce of the vine, honey, oil or such

other things as are usually given by virtue of the title of possession. No duties of *gazel* or *averiz*, nor any other duties, shall be levied, either on the person of the bishop or on any others who may visit the porte by his order, nor upon any individual in his service. Suits brought against him shall only be heard and decided in the audience room of the sublime porte. The bishop will, according to custom, take possession of the vineyards, gardens and other real property bequeathed to the poor of the church, as also of effects belonging to the church, and no one shall meddle with them. If there should be any among the priests, who remove from one place to another without the permission of the bishop, or create any disturbance, they shall be reprimanded and punished through the intervention of the bishop. The Greek and Armenian patriarchs, or any of their dependents, shall in no manner disturb the bishop in matters relating to his religion, nor meddle with his other affairs. Let it so be known and full faith given to the imperial seal.

THE COFFEE TRADE.

We have been favored by a very intelligent correspondent in Boston, with the annexed statement of the growth and consumption of coffee throughout the world. In the accompanying note he says, "It is as correct as such general statements can well be made. It was prepared some three months since, when you loaned me the London brokers' pamphlet concerning coffee, and its accuracy has been tested by every subsequent arrival from Europe, bringing accounts of the reduced stocks of coffee in all the European ports."

COFFEE FOR 1831. Annual production.

Java now produces	lbs. 37,000,000
Sumatra and other parts of India	12,000,000
Brazil	60,000,000
Spanish Main	8,000,000
Cuba	48,000,000
Porto Rico	10,000,000
St. Domingo	23,000,000
British West Indies	33,000,000
Dutch West Indies	10,000,000
French West and East Indies	13,000,000

Total yearly production lbs. 250,000,000

Annual consumption.

Holland and the Netherlands consume	lbs. 88,000,000
Great Britain and Ireland	27,000,000
Germany and the Baltic	45,000,000
France, Spain, Portugal, and the Mediterranean	60,000,000
The United States	50,000,000

Present yearly consumption lbs. 305,000,000
The stocks of coffee in Europe, Dec. 31, 1830, were lbs. 80,000,000
Do. do. in the United States, less than 10,000,000

Together 90,000,000
Whole growth of 1831 250,000,000

Consumption in Europe and America, 1831 lbs. 340,000,000
205,000,000

Estimated stocks in Europe and America at end of year 35,000,000
Of which there will be locked up in the United States 30,000,000

Leaving in all Europe, 31st Dec. 1831, only lbs. 15,000,000

The growth of coffee has yearly decreased from five to eight million pounds since 1828 (when it was greatest), and must continue to decrease two or three years more. It cannot be much increased until three or four years after it reaches 10 or 15 dollars in the West Indies. The very low price of sugar in all countries adds to the increase of coffee consumption.

	Import.	Consumed.
1826	133,000,000	141,000,000
1827	202,000,000	181,000,000
1828	210,000,000	205,000,000
1829	202,000,000	214,000,000
1830	101,000,000	212,000,000

The increase of production of coffee from 1828 to '30, was 30 per cent.
The increase of consumption from 1826 to 1830, was 60 per cent.
The increase of production has stopped, while the increase of consumption goes on and will go on, till checked by high prices.

In 1816 coffee in Hamburg was 6mk bee per lb. being 15 cts. per lb.
In 1817 it rose in Hamburg to 8 " being 16 cts.
In 1818 it rose in Hamburg to 16 " being 32 cts.
It thence gradually fell to 12 " being 25 cts.
And did not go below 10 (till after '30) being 20 cts.
Coffee continued to fall in Hamburg till 1830, when it was worth 3 1/2 mk bee per lb. being about 25 cts. per lb.
In February 1831, it was worth 4 1/2 mk bee about 30 cts.
And had not then reached by 30 per cent. the price from which it started in 1816.

The stocks of coffee in Europe.

In 1828 December 31st, were	lbs. 74,000,000
1829	87,000,000
1830	107,000,000
1831	151,500,000
1832	109,000,000
1830	80,000,000

And as shown in the foregoing will be in 1831, only 15,000,000

*By Europe is meant the Netherlands, England, France, Hamburg, Bremen, Copenhagen, St. Petersburg and Trieste.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 3—VOL. V.

BALTIMORE, SEPT. 17, 1831.

[VOL. XL. WHOLE No. 1,043]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

Our affections! We have been sorely distressed because of the great amount of matter on hand, that must be published—and, in ridding ourselves of one infliction, by disposing of Mr. Crawford's long statement, we hoped much!—but lo, major Estlin has published an address two or three times as long as Mr. Crawford's, and others must follow it! What can we do? We will do all that we can; and, with the aid of extra sheets and a close type, preserve the record of things as they happen, "without favor or affection."

We owe due respects to the editor of the Albany Argus, and shall fully pay them—as soon as time is allowed to seek for and obtain certain papers.

Mr. Crawford's long expected reply has appeared. We feel but little, if any, interest in the things discussed—but, judging from what we hear, this paper seems to have fallen much short of the expectations of all the various parties to its contents. We insert it of necessity, that the record may be kept up; but do not observe that it has a single fact of striking importance, though redundant with severe expressions and rather coarse terms—and some imprecations that seem altogether uncalled for. In our poor judgment—and in this matter we certainly speak without feeling—the friends of Mr. Crawford ought to have suppressed this publication, in respect to the character and stoneling which he once held before the people of the United States; and it is probable that the delay has been caused by attempts to do so—but some politicians are "soul-less"—and always ready to sacrifice the most sacred principles to self-gratification, in the pursuit of political opponents.

"Who shall decide when doctors disagree?" Since writing the preceding paragraph, we meet with the following on the same subject:

From the National Gazette—"Mr. Crawford's reply to Mr. Cullison is really pitiable. His understanding and taste must be greatly impaired, or he was much overrated when he was a party-idol. Our readers would not think the reply entitled to the space which it would occupy in our paper."

From the Richmond Whig. "We finish Mr. Crawford's address to-day, and to do so, are obliged to exclude much other matter. We have had time only to give a hasty glance at it, and do not mean therefore to speak of its merits—we however, have seen enough of its style, to authorise us to express our gratification, that Mr. Crawford has recovered the dignity befitting the occasion and his character."

From the New York Commercial Advertiser. "The residue of Mr. Crawford's strictures upon the vice president arrived this morning, and the publication therefore is completed in this paper. We have not published this precious specimen of imbecile garrulity because it possesses either interest or value, but simply to maintain our own character for impartiality, which must not be questioned. Fortunately this country is yet so free that nobody is obliged to read it."

"THE FREE TRADE" CONVENTION. "In the midst of counsellors there is safety." No less than thirty delegates to the convention, to be held at Philadelphia, have been appointed at a meeting held in the city of New York—and a legion of delegates have been named from the little counties of Virginia located on tide-water, some of which hardly contain more citizens than are employed at many of our manufacturing establishments. So there will be a large gathering."

"The meeting at New York at which the thirty delegates were appointed, seems to have been a 'mighty small' concern, though there had been much drumming to cause a large collection.

VOL. XL. No.

We all recollect the abuse that was heaped upon the "Harrisburg Convention," because of its proposed interference with, or dictation to, the congress of the United States! The present proceeding is justified by the same men on the plea of necessity, to counteract the doings of that convention, and the effects that succeeded it; and it is again stated as if this was the first time in which the "free trade" folks have moved in this way.

This class of persons are blessed with weak memories! How is it? Have we not had secret and irresponsible "chambers of commerce" for many years, which modestly interfered to regulate the whole exterior and interior business of the country—whose operations were simultaneous and combined? which have asked for and generally obtained almost every thing they desired, to protect the navigating interest, by enormous discriminatory duties, by squadrons of vessels of war, by the thunder of the nation's cannon, supported at the national expense? We have said that these things are right—that the splendid frigate Potomac has lately sailed to the East Indies, to protect a trade, the whole depredations on which have hardly amounted to as much as her cruise will cost us. And this is right. But why is property abroad, far out of the jurisdiction of the United States, more sacred than property at home? Why the business of ship owners and seamen more precious in our eyes, than that of the owners of furnaces and forges, and of the people who labor in or are subsisted by them? And how is it that the merchants, perpetually asking and always obtaining protection in their proper pursuits, have been so rank and wrath at others, (having twenty times a greater interest than their own), seeking like shelter under the laws of a paternal government? How is it? Look at the statute book!—it is filled with acts to favor American merchants; and why, except on the broad ground that we stand upon, may not American products as well be exported in foreign ships, by foreign merchants, as in American ships and by American merchants? Let him who dares answer this question! And may not that protection which has rendered us the second navigating nation in the world, not be exerted to render us the second manufacturing? Every argument that can be used for the one, must equally apply to the other. The principle or operation of both is the same.

†The righteous and patriotic resolution, to export our own products in our own shipping and cause the "starry banner" to be respected,—in the support of diplomatic agents, of the navy on foreign stations, and expense of the last war, (PURELY ONE ABOUT NAVIGATION), have cost the people of the United States not less than two hundred millions of dollars—and we say it is well; for national independence may not be valued by dollars and cents. And see!—we keep up a fleet in the Mediterranean that costs more than a million of dollars a year—and yet the whole value of our domestic exports to countries within the straits of Gibraltar in 1829—(the last year reported), was only as follows:

To Spanish ports	185,994
France,	886,112
Italy and Malta,	289,755
Trient, &c.	409,288
Turkey, Levant, &c.	27,600
	1,708,650

France might nearly as well have received her supplies through her Atlantic ports, and could, at least, have protected her own commerce. So the navy for the protection of our trade in the Mediterranean has cost the nation just about as much as the whole amount risked by individuals. Here is "free trade!!!"—"trade left to itself"—"regulating itself" with a vengeance! But we say it is well. We go for the whole "system."

But to return to the abuse of the "Harrisburg Convention," for the reasons assigned. Has every body forgotten that the convention system began with the "merchants and others interested in commerce?" That a convention was *breathed* secretly, I believe, through the "chambers of commerce," and met at Philadelphia in November 1820, of which William Bayard, of New York, was chairman, and John Vaughan, of Philadelphia, secretary—whose memorial may be found in the 19th volume of the REGISTER, page 257? This memorial has the whole ring of bells about "free trade," and suggested the ruin of the revenue, if increased duties were imposed on foreign productions! Yet the members of this convention had enjoyed the protection of 100 cents per ton on foreign vessels, against 6 cents per ton on the entry of their own—with the payment of 15 per cent. less duty than goods imported in foreign bottoms were required to pay, at our custom houses!—and this it was that built up the navigation of the United States, and made these men rich! As to the ruin of the revenue—events have laughed at the prediction. We intend not, however, at present, to go into a discussion of these things, our object being only to offer certain facts which excessive "free trade" modesty would zealously conceal. From 1789 to 1816, a period of twenty seven years, the American merchants had (what they call in respect to others), a "monopoly" in the foreign trade and navigation of the United States—let the "AMERICAN SYSTEM" go on with the same freedom and support for twenty-seven years, and then may the merchants fairly interfere with it; but until then, let them do unto others as they have been done by. ISN'T THIS HONEST? It is—or the merchants are a superior—a privileged class! Will this be claimed, or admitted? We think not. They are as we are—not wiser or better than other folks. The greatest merchant in New-York, unless he lives more prodigally than I do—(he does not live better), pays no more revenue, in proportion to his family, than the editor of the Register, except in his own will to favor British rather than American working people.

Albert Gallatin and chancellor Kent, were appointed by the "free trade" meeting at New York, and Thomas P. Cope and Samuel Archer, by that held in Philadelphia, as delegates to the convention. It is believed that neither of these distinguished gentlemen will attend.

THE HAT MANUFACTURE in the United States probably has a present value of not less than fifteen millions of dollars a year, equal to fully one half the whole product of cotton—the domestic consumption being added to the foreign export. Before the revolution, there was a law of the "mother country" that forbade our hatters from taking more than two apprentices, and certain regulations by which the hatters of one "province" were prohibited from sending their products into a neighboring province. Such was the early jealousy and rank monopoly of John Bull—that our fathers might be kept poor, and dependent upon him for all the necessities of life which he dared refuse, unless profitable to himself in the supply; but our political Sampsons burst the cords that bound them, and accomplished a revolution unprecedented for its grandeur and effect. FRANKLIN and the rest, however, saw that the "revolution was not over," in the ACKNOWLEDGEMENT of our dependence; they knew that it could not be ESTABLISHED except in the encouragement of labor and profits of production, and hence the prompt institution of many associations for the consumption of "home-made" goods—and we have the lofty authority of Mr. MADISON for saying, that *this purpose* was the leading one that brought about our federal union and built up the present constitution of the United States—and PROTECTION was extended by many acts of the first congress.

We will remember when great quantities of English hats arrived at Philadelphia—where "English hat-stores" were pretty numerous—where a large part of the more wealthy class used English hats, and many dunces, who could not afford it, bought them: but after a while, a wholesome impulse was given to hating—the quality of our home-made hats instantly improved, and the quantity rapidly increased—so that we now export many times more hats than we import; which conclusively shows

that the duty on this branch of industry has acted as a *POWERY*, (not as a *TAX*), to consumers—"stripping up the heels" of the new light political economists, and sustaining the just judgment of Franklin, Hamilton, Madison, and the host of sound statesmen, who rendered as much good to their country by the labor of their minds, as Washington, Green, Wayne, and the rest, bestowed by the power of arms.

These brief remarks suggested themselves on seeing the following, extracted from the *London Morning Herald*:

"The progress which the Americans have made in several branches of manufacture is really astonishing. A few years ago there was not a hat in the United States who could make a hat fit to be worn by a well-dressed man, and consequently all hats of a superior quality were imported from this country. A great change, however, has taken place. We have seen a specimen of gentlemen's hats, manufactured in New York, which are equal, if not superior, both as respects shape and quality, to the very best made in any part of this country. Although the materials are chiefly sent from England, [?] they are sold, retail, as low as 17s. or 18s. each,—that is, about one-third cheaper than in London."

THE show of very fine hats, at the last fair of the American Institute at New York, far exceeded any thing of the kind that we ever expected to see—and we said, as to them, "*ne plus ultra*;" but we suppose that the most extensive manufactory of such hats as pass into the general consumption of the United States, is that of our near and old neighbors, Messrs. Jacob Rogers and sons, Baltimore.

COTTON. By the heavy rains and mighty floods in the southern states, generally, it seems highly probable that the crop of cotton will fall much short of its last year's amount. The long wet weather has caused much of it to rot. A letter from Mississippi says there has been nothing like it since 1813-14. Perhaps a diminished quantity of cotton may not reduce the value of the crop. We have produced much more than the market would freely take, at fair prices, and forced sales have materially diminished the profits of cultivators.

PORCELAIN. The British manufactures of porcelain are very important. The product of the potteries, for home use or exportation, are worth several millions of pounds annually. Of the ordinary kinds, they are the best and nearest in the world—and in the most delicate and splendid, they are not behind the very best manufactures of China and Japan, and rival the most exquisite productions of France—which, for clearness, smoothness and taste, can hardly be excelled. It is a business in which not much has yet been done in the United States, though there is one pretty extensive factory in Philadelphia, at which beautiful and good wares are manufactured. The common kinds, however, will be added to various pursuits of the American people, as population presses upon labor—for we have an abundance of the proper clays and materials for glazing. Indeed, large quantities of the latter are exported to England.

A late London paper says—We have been favored by Messrs. Flight and Barr, with the sight of a magnificent display of Worcester porcelain, manufactured by them for the palace of Egypt. The dinner service is sufficiently gorgeous—its pattern being formed entirely of gold on a light ground, surrounding a crescent and star, the symbols of Turco Egyptian power. But it is in the desert service that the superiority of British manufacture has been evinced. Around, and in the centre of its various articles, flowers of every variety, beautifully grouped, and exquisitely drawn, on a cream colored ground, are gracefully arranged in compartments, surrounded by a splendid scroll pattern of embossed gold; the whole enamelled on a bright Pomona green, and fully sustaining, in chasteness of design and beauty of execution, the high character of this splendid manufacture.

STORMS. The city of New Orleans and its neighborhood were visited by a tremendous hurricane in the night of the 16th ult. It generally damaged the ship-

ping in port—blew down many chimneys and some small houses, and unroofed others, and caused several crevices in the levee. Some plantations were nearly destroyed—the cane and corn being completely prostrated, but will be partly recovered. The water of Lake Pontchartrain rose so high as to overflow some of the back parts of the city. In Tremé street, it was three feet deep—torrents of rain assisting the inundation. At Terre aux Boeuf the plantations were all under water, in some places to the depth of five feet! A fearful epidemic is expected.

It was reported at New Orleans, that a number of fishermen and their families, amounting to 150 persons, had disappeared in the late gale at Barratarum—their boats were washed away, and they fled to their boats, and had not been since heard of. A large number of cattle were drowned.

In the night of the 12th August and on the morning of the ensuing day, a terrible hurricane was felt in Hayti. In the town of Aux Cayes only eight houses were left standing, and it was thought that 1,000 persons lost their lives, the bodies of 700 being found just after the storm subsided! The vessels in the harbor were all destroyed, and the crews of most of them perished. The like effects were felt at Jérémie and Jacmel—both towns destroyed, and the vessels in their harbors totally lost, with hundreds of lives. So also at St Jago de Cuba, and many other places. Fearful accounts of these hurricanes are yet to reach us. The coffee plantations have suffered much, and the price of coffee is said to have risen four cents per lb. in some of the islands.

FLOOD. South Carolina, Georgia, and the other southern country generally, has suffered much from excessive heavy rains and mighty floods. The courses of the Savannah, the Pedee, and many other rivers, are marked by unprecedented desolations—some of the streams, in confined places, rising 3½ feet, and in others spreading over the country for miles, and destroying the growing crops of corn, cotton, &c. The aggregate loss will be mighty. Many bridges, some of them important and costly structures, have passed away without leaving "a wreck behind" to mark the place where they stood. Much sickness is anticipated because of the rains and floods.

HAIL. The duchy of Parma was disturbed on the 17th June by a hurricane, the ravages of which have no parallel in history, at the very eve of a harvest, which was in the highest degree promising; every thing has been destroyed in a part of the country thirty miles in length, and from ten to fifteen miles in breadth. All was buried and destroyed under heaps of hail stones. According to the Italian journals, the smallest hail stones weighed half a pound; the largest, which were in great quantities, weighed *three ponnies*. They were of diverse forms—round, cylindrical and square; the latter were from one to three inches thick, and from two to eight inches broad. Thirty villages, between San Donno and Parma, are ruined by this storm. The desolation was increased by the inundation of the Taro and the Parma. The description of these disasters, given by the Parma Gazette, cannot be read without horror.

BARBADOES. We have additional details of the effects of the hurricane felt on this island; but the account published in our last seems sufficient to give a general idea of the mighty waste of life and property which it caused—to be compared only with the situation of the island after the famous hurricane of 1780. The howlings of the wind, the crash of houses, the screams of the affrighted, and the groans of the wounded, were in terrific discord—and a deadly pestilence was expected to follow, though famine may be averted by supplies from the neighboring islands. Barbadoes, therefore, much impoverished, will not easily recover from this awful dispensation.

THE SOUTH. The people in lower Virginia and the adjacent parts of N. Carolina, are excessively agitated, because of the late massacre in Southampton. There is

a report that the Dismal Swamp is to be scoured, for *it is said* to contain from 2 to 3,000 blacks, and that these were in concert with the murderers in Southampton; *it is said* that troops were marching for Newbern, N. C. where an insurrection was expected, or had actually broken out; and it is well known that the white people in all this section of country are arming themselves, and that suspicion and fear prevails to an unprecedented extent. Five full and efficient volunteer companies have been formed, or renewed, at Petersburg, Va. Great apprehension prevails that inflammatory papers have been distributed among the negroes in North Carolina, but no fact has yet been discovered to sustain the supposition. If such are discovered, we hope that the authors of them may be designated, and blasted by the contempt and scorn of every honest man. We hate—without reservation hate, negro slavery, and regard it as the supreme curse of our land—but we have the blacks, and must make the best of the unhappy condition in which we are placed that we can. And this we think is certain—that a large majority of the slaves are better fed and clothed, more comfortable and virtuous, than the free negroes, who are the very pests of society in Baltimore, Philadelphia, New York, Providence, &c. Much experience has taught us that emancipation, without removal, adds to the grievance under which we are suffering; and it is this belief that prevents thousands of humane masters from liberating their people, fearing that too many of them would become vagabonds and thieves, if cast upon the taking care of themselves. We have such a surfeit of them, as to make us many thousand times wish that we had a home almost any where—*it is received from seeing black faces, though some very worthy persons have them; and, with much revulsion of feeling, we see it proposed to drive an entire colored people out of Virginia!* Verily, we have enough of them, and our jail, penitentiary and poor house, are besides chinkily filled with them. We cannot accept any more—we have much more than our share already! We are willing to bear our own part of the evil, or relieve it by supporting the African colonization society, and must insist that Virginia shall bear her part, also. She should do unto others as she would that they should do unto her. A man cannot be justified in placing his own incumbrance upon his neighbor's ground. It is a procedure that should be *nullified*. *But does it not appear that those who talk so much about "nullification," are like idle boys playing with squibs and crackers, in a powder magazine?*

[A negro man supposed to be the famous gen. Nat. of the Southampton negroes, arrested and detained at Baltimore as a runaway slave—has been demanded by and given up to the executive of Virginia. Many of the prisoners have already been executed.]

The *Fredericksburg Arena* has the following remarks—It is gratifying to state that the language held by our editorial brethren of the north, in relation to the late disastrous occurrences, is entirely unobjectionable. We have seen no taunts, no cant, no complacent dwelling upon the superior advantages of the non-slaveholding states; on the contrary, there has been a burst of generous sympathy, an unequivocal expression of horror at the scenes enacted by the deluded wretches. We have no doubt, that should it ever be necessary, the citizens of the northern states would promptly fly to the assistance of their southern brethren—we speak of the vast majority—innates there are, doubtless, who so far from this acting would not very much scruple to foment disaffection, and excite servile insurrection.

P. S. Aug. 1. A letter dated Raleigh, Sept. 13, was received by Mr. Barnum, of the City Hotel, Baltimore, by yesterday's southern mail, saying that Expresses had arrived announcing that *Wilmington was in the hands of the blacks and burnt!*—that it was reported they were advancing on Raleigh—that the citizens had been all night under arms—and the women, almost distracted, were flying all directions. All business was stopped, except in preparation for events. At the instant of writing an express arrived from *Johnson county*, (adjoining that in which Raleigh stands), demanding arms and ammunition! *Wilmington was, (must we say?) a large town, and had a great commerce.*

ELECTIONS. Other trials have been made in the Bristol and Essex North districts, *Massachusetts*, to elect members of congress, and also in the yet vacant district in *Vermont*, without success. It is not worth while to give the particulars.

Maryland election of electors of senate.

The names printed in *italic* were the administration candidates, and those marked * are elected.

Annapolis city—Mr. Claiborne, * no opposition.
Allegany county—Mr. Ridgely* 688, Mr. Shaw* 669—Mr. Swan 668, Mr. McMahon 664.

Anne Arundel county—Messrs. Hood* and Stewart,* without opposition.

Baltimore city—Mr. Heath* 4,434—Niles† 3,738.
Baltimore county—Messrs. Stansbury* and Worthington*—unopposed.

Cecil county—Mr. Evans* 1,059, Mr. Thomas* 1,019; Mr. Howard 979, Mr. Grubb 705.

Caroline county—Mr. Burchenal* 615, Mr. Carter* 613—Mr. Turner 563, Mr. Lynden 560.

Calvert county—Messrs. James Kent* and George W. Weems*.

Charles county—Mr. Chapman* 648, Mr. Weems* 646—Mr. Stoddert 560, Mr. Queen 548.

Dorchester county—Messrs. Thomas Hicks and John N. Steele, elected. No returns.

Frederick county—Mr. Beall* 3,431, Mr. Potts* 3,410—Mr. Kemp 3,402, Mr. Dorsey 3,397.

Harford county—Mr. Montgomery* 1,113, Mr. McKenney* 1,070—Mr. Hope 979, Mr. Stump 927.

Montgomery county—Mr. Harding* 926, Mr. Gittings* 902—Mr. Duval 733, Mr. Peter 667.

Kent county—Mr. Redue* 509, Mr. Comegys* 500—Mr. Osborn 497, Mr. Hynson 486.

Prince George's county—Mr. Kent* 736, Mr. Edelen† 735—Mr. Somerville 605, Mr. Semmes 599.

Queen Ann county—Mr. Grayson* 687, Mr. Newman* 673—Mr. McKenney 635, Mr. Emory 631.

St. Mary's county—Messrs. Gerard N. Causin and Cornelius Combs. No opposition.

Somerset county—Mr. Teackle* 987, Mr. Bell* 987; Mr. Stewart 827, Mr. Polk 812.

Talbot county—Mr. Dickinson* 656, Mr. Hughlett* 643—Mr. Stevens 436, Mr. Reardon 433.

Washington county—Mr. Wason* 1,937, Mr. Magill* 1,905—Mr. Clagett 1,328, Mr. Tighman 1,424.

Worcester county—Mr. W. A. Purnell* 1,160, Mr. Spence* 1,159—Mr. E. K. Wilson 1,103, Mr. C. Purnell 1,023.

Recapitulation—Jackson 12, anti-Jackson 28.

Charleston election. The election for municipal officers in the city of Charleston, which has been so warmly canvassed, has gone against the union party, *Henry L. Pinckney*, a distinguished nullifier, has been elected intendant of the city, in opposition to *J. R. Pringle*, the present intendant, by a vote of 1040 to 932; the number of votes being greater than ever given at any preceding election.

The Louisville Focus, says the Nashville Herald, in publishing a list of the members of congress from this state, has the name of *Jacob C. Isaacs* as opposed to the present administration. This is an error. Mr. Isaacs is a thorough going Jackson man, but is in favor of internal improvement.

Virginia representation in congress. It appears from the Abington Republican, that Charles C. Johnson, esq.

†It is not much our practice to assign causes for particular results of elections, and especially such as can excite political discussions—but it may be observed, that while Mr. Heath received the full number of his party vote, his opponent did not, for peculiar reasons, or proceedings hard to be justified—which cannot be stated in this work, without elevating from its usual course; but which may be presented in another way, for the public reflection. A comparison of the votes of the two highest on the delegate tickets in October last, with the votes at the late election, will show this:

Oct. 1830 Mr. Hunt, (J) 4,471 Mr. Stewart (C.) 4,087
Sept. 1851 Heath 4,434 Niles 3,738

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has evicted the late member, Mr. Draper, in the Washington district, by a majority of 57. It is thought that Mr. Draper will contest.

It also appears that Mr. Coke is re-elected by a majority of about 1,100.

The Kenhawa district only remains to be definitely heard from. The contest has been close between Messrs. Maxwell and Smith, (both Clay men), though it is supposed that gen. Smith is chosen.

[We have the returns—Mr. Maxwell appears to be elected by a majority of 378 votes.]

The representation in congress, will then stand thus:

Re-elected—Messrs. Alexander, Archer, Bouldin, Davenport, Craig, Gordon, Dodridge, Armstrong, Patton, Stevenson, Coke, Barbour, McCoy, Allen, Claiborne, Mercer, [Maxwell.]

Newton in the place of Loyal; John J. Ranne, for John Roane; Johnson for Draper; Chinn for Taliaferro; John Y. Mason for Trezvant. [Richmond Whig.]

Indiana—Indianapolis, Sept. 3.—The returns heretofore published, which embraced all the counties except Allen, Elkhardt, and St. Joseph, gave to each of the candidates for governor the following vote:

	<i>Noble.</i>	<i>Reed.</i>	<i>Stapp.</i>
	23,282	20,954	6,870
Elkhardt	159	21	2
Allen	193	9	6
St. Joseph	111		12
	23,745	20,984	6,890

The official returns for representatives to congress have now been received from all the counties in the state. The round numbers, if we have added them correctly, are as follows:

First district.

Rateliff Boon.....	11,281
John Law.....	10,905

Second district.

John Carr.....	4,855
William W. Wick.....	4,610
James B. Ray.....	1,732
Jonathan Jennings.....	1,681
John H. Thompson.....	1,486
Isaac Hawk.....	1,454

Third district.

Jonathan McCarty.....	6,243
Oliver H. Smith.....	5,289
John Teat.....	3,107

The "Farmers Journal," of *Pennsylv.*, corrects an error into which we fell, respecting Mr. Blair, re-elected to congress, though strongly opposed—saying he is "a zealous friend of the president," "though a consistent advocate of internal improvements by the general government, which by some has been considered the test of opposition to the present administration." The time was, when opposition to the leading measures of an administration, was regarded as an opposition to the president; but now persons who have voted against every proposition of the administration, may still be "true and zealous friends of it!" Hence our error.

CHOLERA MORBUS. The authorities in various cities of the United States are adopting measures to prevent the introduction of this fearful disease, which many think is contagious—which others pronounce it not to be so, and say that it exists because of a peculiar state of the atmosphere. The latter, opinion, probably, has the most friends.

The landing of many kinds of foreign goods at New York, is forbidden, unless under special permission from the board of health—and vessels arriving from places where the Cholera prevails, are not allowed to approach the wharves nearer than 300 yards—subject to the orders of the board of health.

Our accounts of the ravages of this disease are dreadful. Between the 27th June and 10th July, 2,850 cases occurred at St. Petersburg, with hardly a single cure; and, at the last advices, the new cases were between 550 to 600 a day, and on the increase. The imperial family, and nearly all who were masters of their own movements, had fled from the city—20,000 of the laboring classes had taken out passes to depart! and the city had

a dismal appearance. The Swedes and Danes have many armed vessels stationed to prevent the approach of fugitives from the diseased places.

GEORGIA AND THE CHEROKEES. We understand, says the Milledgeville Recorder, that at the late sitting of the superior court in Walton county, judge Clayton, delivered an opinion, the substance of which, as well as our informant could understand it, was to this effect:—that the Cherokee Indians have the right, notwithstanding the act of the last session, to dig gold on the lands in their occupancy.

FATAL DUEL. From the Missouri Republican of August 30.—The personal controversy which was carried on for some time previous to the election, in the other papers of this city, between major Biddle and Mr. Spencer Pettis, has had a most melancholy termination. A challenge passed from Mr. Pettis to major Biddle on Thursday last: it was accepted, and the gentlemen met on the sand bar opposite this city on Friday afternoon. Maj. Biddle being near-sighted, he, as the challenged party, stipulated *five feet* as the distance at which they were to fight. On the first fire, both gentlemen were mortally wounded. Major Biddle was shot thro' the abdomen, the ball lodging within. Mr. Pettis was shot through the side, just below the chest, the ball passing entirely through the body. Mr. Pettis survived until Saturday afternoon. Major Biddle died yesterday morning. Both parties are said to have conducted with remarkable coolness upon the occasion; and supposing the wounds to be mortal, they exchanged forgiveness upon the ground.

The remains of Mr. Pettis were attended to the place of interment, in the city grave yard, on Sunday afternoon, with every demonstration of respect. An immense concourse of our most respectable citizens joined in these last sad duties. Maj. Biddle's funeral takes place to-day, at 10 o'clock.

[Maj. Biddle was a pay master in the army, and brother of Mr. Biddle, president of the bank of the United States, and com. Biddle, of the navy. Mr. Pettis was the member-elect to congress from Missouri. The parties had long been in a state of bitter contention, and not long since, major Biddle inflicted a severe personal chastisement on Mr. Pettis, for which the latter was tendered "satisfaction." Major Biddle was a married man, but had no children.—Mr. Pettis was unmarried. Both seemed to believe that the duel would have the fatal termination that ensued.]

NAVY OF THE U. S. A good practice has been introduced by Mr. Secretary Woodbury—that of publishing, on the 1st of every month, all material changes that take place in the condition or position of the vessels of the United States, in commission—and because of the decease, transfer, &c. of officers in service. The following was last issued:—

Naval register. Vessels on each foreign station at last advices:

Pacific. Frigate *Guerriere*, sloop *St. Louis*, and schooner *Dolphin*. The two former to be relieved by the frigate *Potomac* and sloop *Falmouth*.

Brazil. Sloop *Vandalia*, sloop *Lexington* on her way to join this station.

West Indies. Sloops *Erie* and *Vincennes*, schooners *Grampus* and *Porpoise*.

Mediterranean. Frigates *Brandywine* and *Constellation*, sloops *John Adams*, *Ontario*, *Boston* and *Concord*.

Frigate Constellation, captain Wadsworth, and sloop *Boston*, were at Vourla, near Smyrna, on the 23d May, officers and men all well.

Sloop *Natchez*, capt. Newton, arrived at Norfolk on the 23d ult.

Schooner *Shark*, lieu. com. Boerum, arrived at Norfolk on the 23th ult.

The two last named vessels are undergoing repairs, and will, it is presumed, in a few weeks, be in a situation to resume their stations in the West India squadron.

Naval department, Sept. 1, 1831.

OHIO CANAL. The water was let into the canal at Circleville, on the 1st inst., and in 3 or 4 days had reached the aqueduct on Deer creek. The water was expected to reach the locks near Chillicothe about the middle of the month. The Chillicothe Gazette says, in the course of a few weeks boats may be expected in that town from the waters of Lake Erie.

DR. MITCHELL. We alluded briefly yesterday to the death of this distinguished scientific man, which was announced to us but a short time previous to the publication of the paper. He died in his sixty-eighth year, after an illness which afforded little room to hope for his ultimate recovery; but still his departure was sudden and unexpected. He was a man who with wonderful faculty of recitation, and untiring industry, had accumulated more knowledge as to facts, books and natural history than most men, however celebrated, of his or any other age. There were few subjects on which he could not furnish such information as would lead the inquirer aright in his researches. He enlarged the boundaries of discovery in natural science, and stimulated and assisted all who were pursuing the same objects. He was, for a great number of years, professor of various branches in the college of physicians and surgeons, and was dean of the faculty. His labors are dispersed in many volumes. Many cabinets are enriched by his collections. And there are few philosophical societies of note in the world, of which he was not a member. He was elected to the assembly of this state soon after the revolution, and was afterwards a senator in congress, and the colleague of De Witt Clinton. His acquaintance with history, and with civil and international law, was extensive and accurate. There was an amiable simplicity in his character, connected with a consciousness of his own acquisitions, which was confounded with vulgar vanity only by the vulgar mind. He did much to promote the cause of science; and science must regret his loss.

[*N. Y. Com. Adv. Sept. 7.*]

LONDON YEARLY MEETING OF FRIENDS.—The editor of the Philadelphia Friend, gives the following summary notice of the proceedings of the late yearly meeting of Friends in London, derived from the letter of a respectable correspondent in that city.

The society's ancient testimony against titles and other ecclesiastical demands, was a subject which gained large attention; and a lively exercise pervaded the meeting, that friends might be found especially faithful herein in this day, when, perhaps more than at any former period in modern times, such impositions are called in question; at the same time members were cautioned, that, while in noble simplicity and firmness, they adhered to our testimonies, they should avoid any participation in the popular clamor of the day.

"One sitting of the yearly meeting was pretty much occupied with the anti-slavery subject, and some other matters connected with it. A further grant [by voluntary contribution] to friends of North Carolina was agreed upon, to enable them to remove the colored people under their care to free states. Friends seemed disposed to encourage one another to perseverance in the abolition of slavery, hopeful in the apprehension that the work was making progress.

The situation of the aborigines of the British colonies especially those of Australasia, claimed some notice as objects of compassion for their sufferings from oppressive settlers; and I was ready to say, a burst of indignation escaped, (but friends though strong in expression, were temperate), when they heard of the attempts to supplant the poor Cherokees, the particulars of which were received from the meeting for sufferings of Philadelphia.

The lamentable prevailing vice of drinking ardent spirits, and the unlawful use or occupation of the first day of the week, were both subjects which occupied the meeting's attention.

On the reading of the American epistles, and other information which reached the meeting, a subscription was recommended throughout the yearly meeting, in

and of the fowls of their transatlantic bre thren for furnishing a supply of bibles, Friends' books, school books, as well as to assist in fitting up meeting houses, within those parishes the American yearly meetings where assistance may be needed.

Elizabeth Ronson was set at liberty by the select yearly meeting, to perform a religious visit in some part of the continent of Europe, and in pursuance of this prospect, with her husband, she had left London, in the steam packet, for Calais. Also, James Backhouse obtained the approbation of the same meeting, to enter upon his arduous prospect of paying a visit, in the love of the gospel, to the settlement of New-Holland.

PORTUGAL. A London paper gives us the following as the condition to which France has reduced Don Miguel. It is, indeed, a most humiliating one—and can be regarded only as a prelude to his expulsion. The royal honors recently paid to the daughter of Don Pedro, as queen of Portugal, in England and France, we regard as setting the fate of the worthless and wicked Miguel. The conditions imposed by the French admiral upon Don Miguel, are stated to be: 1st, The dismissal of the superintendent-general of police. 2d, The reversal of all sentences pronounced against Frenchmen for political opinions. 3d, An indemnity of 800,000 francs for the expenses of the expedition. 4th, The insertion in the Gazette of the Portuguese government, together with placards containing these facts posted on the corners of the streets through which Bonhomme was paraded.

TREATY WITH FRANCE

From the Boston Daily Advertiser.

We translate the following article from the French government paper (the *Moniteur*) giving what may probably be regarded as an official exposition of the stipulations contained in the treaty lately negotiated between France and the United States. The stipulation for a reduction of duties on French wines obviously exceeds the competency of the treaty-making power, and will require the action of both houses of congress, either before it can be ratified, or before it can take effect. The *Moniteur* states, that the treaty cannot be ratified until the close of this year or the beginning of the next.

1. The United States, since 1810, have demanded an indemnity of France, for the value of American vessels seized and confiscated under the Berlin and Milan decrees. The amount of this claim was seventy five million francs. The French government, not inclining to admit any claims except those which applied to vessels illegally seized or confiscated, has agreed to pay to the United States an indemnity of twenty five millions, and has reserved the right of making a deduction from this amount of a million and a half, as an indemnity to some French citizens for their claims upon the federal government.

2. On the other hand, France, relying on the 3d article of the treaty of cession of Louisiana, which had placed the French navigation in that country on the footing of that of the most favored nation, demanded that her shipping, on entering the ports of Louisiana, should be exempt from the payment of extra duties, as the English shipping has been since the treaty of Ghent, in all the ports of the union. But the federal government insisted that we gave too absolute a construction to the 5th article of the treaty of Louisiana, and opposed our views the more strenuously, because the advantages which our shipping would thus have enjoyed, not in all the ports of the union, but to those of Louisiana only, would have given that state a monopoly of French commerce altogether at variance with the spirit of the institutions of the United States.—Under these circumstances, the king's government, wishing to reconcile those national interests which it is bound to maintain, with the just and benevolent sentiments which it must ever entertain towards the federal government, has thought proper to abandon its interpretation of the treaty of Louisiana, and in lieu thereof, to stipulate for a specific and favorable rate of duties on our wines.

From the exchange of the ratification of the treaty, therefore the wines of France which will be admitted into the ports of the union, on payment of duties which are

not to exceed the following rates: six cents for red wine in casks, 10 cents for white wine in casks, and 22 cent for wine of all kinds in bottles; the present rate of duties on those several kinds of wine being respectively 10, 15 and 30 cents. This stipulation is to be obligatory on the federal government for the term of ten years; and it is further agreed, that if that government shall reduce the duties imposed by the existing tariff on wines in general, it shall at the same time cause a proportional reduction to be made in favor of the wines of France, so that the latter may retain the same relative advantage which is secured to them by the rates specified in the treaty.

It is also agreed, that the long staple cottons of the U. States shall in future pay in France the same duty as the short staples. This equalization, which has existed since 1826 in regard to the long staple cottons of Brazil, will prove equally advantageous to the American planter and our own manufacturers.

RESPECT TO GOV. BRANCH.

Windsor, 18th Aug 1831.

DEAR SIR—The undersigned committee, appointed by a respectable meeting of the citizens of Bertie, assembled for the purpose of expressing their high regard for your private virtues, as well as the high opinion which they entertain of your firm and unswerving course, prominently displayed by the many important services rendered your state, and more especially by your late demonstration of attachment to those principles which have always governed you, are instructed to solicit you in favor them by partaking of a dinner to be given in Windsor, at such time as may suit your convenience.

The committee will further say, that they sincerely hope no private circumstance may occur to deprive them of the pleasure they anticipate in meeting you around the social board.

With due regard, we are, &c.

ALEX. W. MEBANE,
GEO. B. OULLAW,
JNO. E. WOOD,
JOS. D. WHITE,
THEO. G. PETERS,
THOMAS BOND,

To the Hon. JOHN BRANCH, Enfield.

Enfield, Aug 20th, 1831.

GENTLEMEN—Your invitation of the 11th inst. to unite with a portion of my fellow-citizens of Bertie county "around the social board," has been duly received. Under the most auspicious circumstances of my life, such marked kindness, connected with the flattering manner in which allusion has been made to my private and public character, could not fail to be highly acceptable. But situated as I am—recently expelled from the cabinet of gen. Jackson by the ascendancy of certain "malign influences," and still pursued in my retirement with a *fiend-like* vengeance, which, it seems, cannot be satiated but by the destruction of my good name—nothing, I assure you, could be more grateful to my feelings than the generous confidence and support of those who have known me from my earliest entrance into public life.

With a purpose bent on their own selfish gains, and regardless of the fame of the chief magistrate, or the best interests of the country, these influences are untiring in their efforts to drive from the administration most of its old and long tried supporters; and gladly would they force me from my principles into the support of the recent associate and leader of a part of them, well knowing that I could not expose his course without utter ruin and disgrace—all this and more besides is attempted, under the fatal delusion that the name of the "hero of New-Orleans" has a magic in it to hallow any thing and every thing. With the feelings inspired by such an extraordinary state of things, you can well imagine the pleasure I should derive from accepting your invitation and mingling freely with fellow citizens animated by such noble sentiments. But, gentlemen, I regret to inform you that the indisposition of my family requires my undivided attention, and I will make it my duty, the first moment their strength will permit, to remove them to a climate more favorable to the restora-

tion of their health. I am therefore constrained to forego the high gratification I should otherwise derive from making my acknowledgements in person while partaking with you at the festive hour.

I pray you, gentlemen, to accept for yourselves, and those you represent, my cordial assurances of respect, esteem and gratitude. Most truly yours, &c.

JOHN BRANCH.

To Messrs. Alex. W. Mcbane, Geo. B. Outlaw, &c.

LETTERS FROM LAFAYETTE.

It will be recollected that the editor of the REGISTER was designated to transmit the flags mentioned below to the venerable Lafayette; and by one of the late arrivals, their reception has been acknowledged as follows:

La Grange, June 28, 1831.

My dear sir—The celebration so affectionate and splendid, which in honor to our great week of July, was performed at Baltimore, has been duly published in France, where it has excited high pleasure and gratitude. The flags arrived much later, and were disposed of agreeably to the kind intention of the donors.

My connexion with the first company of the 5th regiment, Maryland volunteers, is founded not only upon late grateful remembrance, but upon the pleasing recollection of public and personal obligations during our revolutionary war. The national guard of Paris being divided into legions, I have thought the company of grenadiers of the 5th legion was the corps to which the flag ought to be presented. The recollection of the officers of the company has occasioned a delay until I know to what captain, after the ballot, I was to send the flag. I know it has been received with feelings of pride and gratitude of which I can already be the interpreter, although the official answer has not reached me.

As to the flag of the Printers' association which has acted a conspicuous part in the grand celebration, and is, in their name, by a unanimous vote, presented to me, I have the honor to acknowledge it in the enclosed letter.

Your most valued Register is in my possession down to the 37th volume, February 20th. No man can, better than I do, esteem its excellences. Permit me to enclose a document that may throw some light on the present state of French politics.* With the most affectionate regard, I am, my dear sir, your sincere, obliged friend,

LAFAYETTE.

MR. NILES, Register office, Baltimore.

La Grange, June 28, 1831.

My dear sir—Amidst my obligations to the citizens, and particularly to the printers of Baltimore, and in addition to the proud and grateful feelings which the grand celebration in honor to the Parisian week of July has excited in my heart, I have been happy to receive the tri-colored flag used on that occasion, and so kindly presented to me by an unanimous vote of the printers' association. It holds at La Grange a conspicuous part in a trophy, each standard of which recalls to the mind an honorable event of the French revolution. I beg you, my dear sir, to present the association with the high respect and most affectionate acknowledgements of their and your obliged friend,

LAFAYETTE.

MR. NILES.

BLASTING OF ROCKS.

From the Philadelphia Chronicle.

The subjoined paper suggests a practicable and efficient method of guarding against a species of accident which has been frequent and fatal in this country. It will be sufficiently recommended to public attention by the distinguished name attached to it.

For the Daily Chronicle.

I have observed in the newspapers an account of the death of a workman dreadfully lacerated and bruised by the blasting of a rock.

This, and many other like occurrences will, I presume, create sufficient interest in the following communication to justify its appearance in a newspaper.

I have ascertained that the process for blasting rocks may be rendered safer than the firing of a towing piece,

by a new application of galvanism. I was led to make this improvement in consequence of an application by a patentee (Mr. Moses Shaw) for assistance in perfecting his patented mode of blasting rocks by an electrical discharge from a Leyden jar.

In a letter dated June 1st, 1831, he says, "I have been engaged in blasting rocks by means of a fulminating powder, introduced into several cavities, and ignited in all of them simultaneously, by a spark from an electrical machine, by which means masses of a much larger size, and of a much more suitable shape for any object in view, may be procured, than by the old plan. I have, however, to lament my inability to succeed in this method of blasting during a great part of the year, when, in consequence of the unfavorable state of the weather, the ignition cannot be effected by electricity in any mode which I have devised, or which has been suggested by others, although I have consulted all the best informed professors to whom I have had access."

It occurred to me as soon as this statement was made by Mr. Shaw, that the ignition of gunpowder, for the purposes he had in view, might be effected by a galvanic discharge from a deflagrator, or calorimeter, in a mode which I have long used in my culometrical experiments to ignite explosive gaseous mixtures. This process is free from uncertainty which is always more or less attendant upon the employment of mechanical electricity for similar purposes.

The expectation thus arising has since been fully verified. I have ignited as many as twelve charges of gunpowder at a distance of one hundred and thirty feet from the galvanic machine employed. This distance is much greater than is necessary to the safety of the operator, as the deflagrator may be shielded so as not to be injured by the explosion, and by means of levers and pulleys, it may be made to act at any distance which may be preferable.

There is no limit to the number of charges which may be thus ignited, excepting those assigned by economy, to the size of the apparatus employed.

These remarks have reference to the principal and highly important subject of Mr. Shaw's project; which is, to ignite at once a great number of charges in as many perforations so drilled in a rock as to co-operate simultaneously in the same plan. By these means it is conceived that the stone may be separated into large prismatic or tabular masses, instead of being reduced to irregular fragments of an inferior size. The object to which I propose now to call attention more particularly, is a modification of the common process of blasting by one charge, which renders that process perfectly safe.

This part of the subject I shall introduce by premising that almost all the accidents which have taken place in blasting rocks, have occurred in one of the three following modes:

1st. The explosion has taken place prematurely, before the operator has had time to retire.

2nd. A premature explosion has ensued from a spark produced by the collision arising from ramming into the orifice of the perforation, containing the powder, the brick dust or sand employed to close it.

3rd. The fire not reaching the charge after the expiration of a period unusually long, and the operator returning to ascertain the cause of the supposed failure, an explosion ensues when he is so near as to suffer by it, as in the instance near Norristown, lately published.

The means of communicating ignition, to which I have referred, are as follows:—

Three iron wires, of which one is of the smallest size used for wire gauge, the others of the size (No. 24) used by booters, are firmly twisted together. This is best accomplished by attaching them to the centre of the mandrel of a lathe, which is made to revolve while the mandrel of a lathe, which is held by a vice so as the other ends of the wires are held by a vice so as to keep them in a proper state of tension. After being thus twisted a small portion is untwisted, so as to get at, and divide the larger wires by means of a pair of nippers. In this way the smaller wire is rendered the sole agent of metallic connection between the larger ones. These are tied in a saw kerf, or made in a small piece of dog wood, to secure them from working;

*It is the general's address to the electors of Meaux.

which if permitted, would cause the smaller wire to break apart. At one end, the twist formed of the wires is soldered to the bottom of a tin tube of a size to fill the perforation in the rock to such a height as may be deemed proper. This tube being supplied with gunpowder, the orifice is closed with a cork, perforated so that the twisted wire may pass out through it without touching the tube, at any point above that where the finer portion alone intervenes. To the outside of the tube a copper wire about No. 16 is soldered, long enough to extend to a stout copper wire proceeding from one of the poles of a galvanic deflagrator or calorimeter.

The wire passing thro' the cork, from the inside of the tube, is in like manner made to communicate with the other pole. The connections between the wires, and the poles, should be made by means of soft solder, previously to which we must imagine that the tube has been introduced into a perforation made for its reception in a rock to be blasted. The tin tube may be secured within the rock by the usual method of ramming in brick dust or sand, by means of a punch, having holes for the protection of the wires of communication already described.

The apparatus being thus prepared, by a galvanic discharge, produced by the movement of a lever through a quarter part of a circle, the finer wire is ignited in the place where it intervenes solely in the circuit, so as to set fire to the surrounding gunpowder.

It is impossible that it should be effected by a spark elicited by ramming, as no means of ignition can have access to the charge besides the galvanic discharge; and as this can only occur by design, without an intention to commit murder or suicide, or unparliamentary neglect, it is inconceivable that an explosion can take place in this method of blasting, when any person is so situated as to suffer by it.

It must be obvious that in all cases of blasting under water, the plan of the tin tube, and ignition by a galvanic circuit, must be very eligible.

Mr. Shaw is now in Philadelphia, and I hope he may meet with the patronage which his project merits.

ROBERT HARE.

PRUSSIA AND POLAND.

Paris, July 21. It is not true that the king of Prussia sent any answer to the letter of the Polish general-in-chief complaining of the scandalous violation of neutrality by the Prussian authorities: the king returned the brave general's letter unopened and in silence. This at Berlin was dignity!

General Jean Skrzynecki, commander-in-chief of the Polish army, has felt himself under the necessity of writing the following letter to the king of Prussia:

"Stettin, July 9, 1831.

"SIR: I take the liberty of addressing you, with the hope that your majesty will deign to admit that my character of commander-in-chief of the Polish army, and the importance of the subject to which I am about to call your majesty's attention, warrant my adopting this course.

"Sire, since your elevation to the throne, justice and uprightness have never ceased to illustrate your paternal reign. In appealing to those sublime virtues, I experience some relief, amidst the vexations and annoyance occasioned to us Poles by the civil and military authorities of Prussia. In conjunction with several European cabinets, you have proclaimed the principle of non-intervention, and I have no doubt but the ministers of your majesty have received instructions in accordance with your royal wishes. The Polish army would consequently be wrong were it to complain of your majesty. They are only anxious to acquiesce with your grievances.

"Every day we witness occurrences which convince us agreed to observe towards Poland, the civil and military authorities not only violate the spirit of the laws of neutrality, but what is more, they afford direct and efficacious assistance to the Russian army, without the latter would have been long since compelled to retire from our country.

"The Prussian authorities supply the Russians from the magazines of Thorn, and the vicinity of that place, with provisions.

"2. Prussian artillerymen have been admitted into, and embodied in, the Russian army, and fight against us.

"3. The Russian forces draw warlike stores from the Prussian fortresses.

"4. The clothing of several Russian regiments were made in Prussia.

"5. The Prussian engineer from Marienwarder was commissioned to collect the necessary materials for the construction of bridges, to enable the Russian army to cross the Vistula at Zlotorya.

"I could refer to various other circumstances to show the hostile intentions and acts of the Prussian authorities. I confine myself to the facts I have mentioned, persuaded as I am, that as soon as your majesty shall have been made acquainted with them, you will deign to prevent the recurrence of practices which, no doubt, take place unknown to your majesty, because they are directly in contradiction with the sentiments of political probity which you have ever professed.

"Bidding your majesty to excuse my troubling you with this despatch, I entreat, sire, you will listen to the voice of humanity, addressed to you through the organs of those whom, be they ever so weak, giants would be unequal to overcome, were they not secretly assisted by the civil and military Prussian authorities."

"That letter was returned to general Skrzynecki, with this declaration, 'that his majesty the king of Prussia could not enter into correspondence with a power that was not acknowledged by the emperor Nicholas!'"

POLISH PROCLAMATION.

Proclamation of the national government to the Polish nation.

"Fellow countrymen!—In the contest which must eventually decide between the existence of Poland or her entire destruction, the nation trusts to the heroism and devotion of the army. The army has justified this confidence, and has exceeded the expectation of the people anxious for the result of our exertions. From that moment the glory of Poland, which for a time had been humiliated, and even forgotten, having attained a vigour not to be produced by ages, has made itself known beyond the bounds of Europe. The enemy, irritated, has summoned forth all his energy, and become even more barbarous. We have been signally successful against him, but we must aim at his entire destruction. It is to ensure this that we must make yet further efforts. It is for this the national government invokes the Most High, who will never cease to protect us, so long as we struggle to defend our spotless country. We invoke our national liberty, which now stands on a point from which it may be plunged into eternity or destruction. We invoke all the kings and heroes who have ever perished for faith, loyalty or the welfare of mankind. We invoke the safety of Europe, the future race, and eternal justice; and, strong in the example of our illustrious ancestors, we proclaim the levy en masse of the nation, (pos polne ruszenie) that this appeal may be heard in the remotest points of our beloved country, so that the inhabitants of the small portion called the kingdom of Poland may be animated by the same sacred flame which burned so brilliantly in Samogitia, Lithuania, and Volhynia, the situation of which was infinitely more embarrassing. They have revived the deeds of our fathers: let us not allow them to excel in this honorable rivalry.

"Ministers of religion!—Our struggle is for our country, for our faith, and for virtue. It is the struggle of children for their fathers, and of fathers for their children. Invoke God, that He may inspire you with his Holy Spirit, the spirit of the primitive Christians, and with that spirit strengthen you in the sanctuaries, in the burying places, and on the field of battle. Do not abandon your flocks, encamp with them in the fields and the forests; suffer with them, and, by your exhortations, strengthen them.

"Fellow countrymen,—Our enemy has vowed our annihilation, but he cannot attain it but by your indifference. Strengthen the ranks of our army with your sons and your brothers, revenge those who have fallen, and let every hillcock, every tree, every highway, every foot path, contain for that enemy vengeance. Perish those hordes that only seek pillage or murder, and let

them not find sleep in that country which these barbarians have sullied for half a century with their crimes and our blood.

"Villagers:—The martyrdom of your brothers, the holy faith, and holy Poland, call upon you at once: it is time to put an end to this sanguinary war. The invading army has ruined your crops, has destroyed your pasturage, has consumed your herds, has poisoned habitations with unhealed pestilence, destroying houses by fire, and families by assassination. The survivors have nothing better to expect from him. On your fields, your grain, cultivated by the sweat of your brow, lies rotten. The crop is at hand; then the enemy, who can never be less thirsting for your blood, will throw himself upon you to complete the catalogue of his victims. Will you await that they should dishonor your wives and your mothers—that they should exterminate your children? No: you will be more prompt than he will be. Whenever your fields do not need your labor, arm yourselves with every thing within your reach; throw yourselves on the enemy. His ranks are already thinned, and your courage will precipitate his flight. Before beginning your harvest you will place it out of the sight of the enemy. A just God will aid you in expelling the intruders and will cause the blessings of peace to descend upon you, and liberated Poland awaits with frankness to bestow those rewards that you so highly merit.

"Chiefs of every rank, destined to command the levy en masse, be impressed with all the sanctity of your high calling. Here awaits you the recompense worthy of a loyal and patriotic heart. After the example of our forefathers, your occupation should be to join military heroism with civil energy. This is what civilized Europe expects, being convinced that in her actual situation, every soldier should be a citizen and every citizen a soldier. It is the force of great national calamities that an intimate union of all classes is required, for there is no class before death, before God, and before country.

"Poles,—At this holy call of a levy en masse, invoke, after the custom of your ancestors, the all-powerful name of God. It is he who has covered with imperishable glory our heroic chivalry under the Poles and the Jagillons. Think of what will happen if we were now to yield. Shall those hopes be destroyed which the third generation has cherished in their hearts, which will become the glory of Poland? Revived with so many charms, and so much blood lately spilt, consult on the means which locality, the wants and the national genius present. Let the whole country become one camp—let all the energy of force and all the dexterity of intellect be combined to distress the enemy. The greatest activity and the most discerning circumspection must guide your actions—the guile of the serpent, and the desperation of the lioness. Such are the characteristics of your calling—a brotherly feeling in its most extensive sense. One for all—all for one. To arms, Poles! to arms!

"Prince A. CZARTORISKI, president.

"PHIPIA, secretary.

"Harrow, July 1, 1831."

MR. CRAWFORD'S EXPOSITION.

From the Georgia Journal.

TO THE CITIZENS OF THE UNITED STATES.

The appearance of the address of the vice president of the United States renders it unnecessary to offer any apology for the following address. The review of the correspondence, signed A. B., originally published in the Georgia Journal of the 21st of April last, and several articles in the Globe and other newspapers, have, in my judgment, sufficiently explained my conduct to all impartial and unprejudiced minds; and those of a different description it is improbable that any thing that I can urge will convince. Besides, it is not very important to the people of the United States, before whom there is no probability I shall ever again be placed, to form any definite opinion of my motives or conduct in the transactions developed in the correspondence between the president and vice president. I say it is not very important to the citizens of the United States; but it is impor-

tant to me individually, to have my conduct correctly understood; for no man, however retired he may live, ought to be indifferent to public opinion. It also appears, from the newspapers, that an explanation from me is expected and desired. I therefore submit to the apparent necessity of appearing before the public.

I understood from letters received during the last session of congress, that the vice president and his friends were endeavoring to make the impression that the difficulty between him and the president had been produced by me, from a desire on my part to ingratiate myself with the president. If this impression had been made by their joint efforts, the vice president has dispelled the illusion, for, by his publication, it is clearly established that the measure did not originate with me; but that in the whole affair I have been passive. In fact, I assert, without the fear of contradiction, that no intercourse, either verbal or written, has taken place between the president and myself, since a few days after the presidential election in the house of representatives, in February, 1825. During the call gen. Jackson then made upon me, no reference whatever was made to what had passed in relation to the general or myself. I considered the call as evidence of a better state of feeling on his part than had been understood to have previously existed; and as I had never cherished any feelings of hostility towards him, I was perfectly willing that the past should be buried in oblivion. But the publication of the correspondence has relieved me from the necessity of saying any thing more upon this subject.

Two other charges have been made against me: 1st. That the confidential letter of gen. Jackson, which I say was produced and read in the cabinet, was not produced and read. And 2d. That I have improperly disclosed cabinet secrets.

Upon the first objection, negative testimony is relied upon. Mr. Monroe, Mr. Adams, and Mr. Wirt, do not recollect that it was produced and read; or rather Mr. Adams and Mr. Wirt do not recollect it; for it is manifest that Mr. Monroe has no recollection upon the subject, having relied wholly upon Mr. Wirt. But Mr. Calhoun has a distinct recollection that it was not produced and read. Without relying upon that rule of legal evidence, which declares that one affirmative witness countervails many negative ones, there is, I believe, abundant evidence in the correspondence itself to support my statement. Here I beg leave to transcribe an article from the Globe of the 20th February last, which has much force and cogency, and proves, at least presumptively, that my statement concerning the confidential letter is correct. The Globe says: "After all the statements, and retractions, about the production of general Jackson's letter before the cabinet in July, 1818, Mr. Monroe's letters, published by Mr. Calhoun, go far to confirm Mr. Crawford's statement. In the conclusion of Mr. Monroe's letter to gen. Jackson, dated December the 21st, 1818 (printed 1830 by mistake in the pamphlet) Mr. Monroe thus speaks of the confidential letter: your letter of the 6th of January was received whilst I was seriously indisposed; observing that it was from you, I handed it to Mr. Calhoun to read, after reading one or two lines myself. The order to take command in that quarter had before then been issued. He remarked, after reading the letter, that it was a confidential one relating to Florida, which I must answer. I asked him if he had forwarded to you the orders that had been given to general Gaines on that subject. He replied that he had. Your letter to me, with many others from friends was put aside in consequence of my indisposition, and the great pressure upon me at the time, and never recur red to until after my return from Loudoun, on the receipt of yours by Mr. Hambley, and then on the suggestion of Mr. Calhoun. Now, when did Mr. Monroe return from Loudoun, and when was the letter by Mr. Hambley received? Mr. Calhoun has given us the evidence to show. In one of his notes he tells us that the first cabinet meeting on that subject took place on the 15th or 16th of July, 1818, Mr. Monroe having returned on the 14th from his residence in Loudoun. Mr. Monroe's letter to general Jackson, dated 19th July, 1818, begins thus: 'I received lately your letter

"of June 21st, by Mr. Hambley, at my farm in Loudoun, &c." Thus, the time when the confidential letter was "looked up, on the suggestion of Mr. Calhoun," is identified within a few days. It was after Mr. Monroe's return from Loudoun, on the 14th, and before the 19th of July, 1818, the very period at which the cabinet were deliberating about the Seminole war, and at the very time Mr. Crawford says it was produced before them. There is a remarkable coincidence between the details of Mr. Crawford's recent statement and Mr. Monroe's account of this affair, made in 1818, which proves the identity of the incidents alluded to: "Mr. Crawford says Mr. Calhoun made some allusion to a letter the general had written to the president, who had forgotten that he had received such a letter, but said if he had received such a one he could find it, and went directly into his cabinet and brought the letter out. Mr. Monroe, in his letter of the 21st December, 1818, says your letter, &c. was put aside, &c. and never recurred to until after my return from Loudoun, &c. and then on the suggestion of Mr. Calhoun. Here is conclusive proof of two things, 1st. the confidential letter was produced on the suggestion of Mr. Calhoun, after Mr. Monroe's return from Loudoun, on the 14th, and before the writing of his letter to gen. Jackson on the 19th of July, 1818. 2d. Mr. Crawford was present when the suggestion was made and the letter produced. The cabinet, it seems, were several days in deliberation. Mr. Wirt might not have been present when the letter was produced. At any rate, the proof is conclusive that the letter was produced to Mr. Crawford on Mr. Calhoun's suggestion. Mr. Calhoun's own account of that letter is incorrect. He says—my recollection in relation to it accords with Mr. Monroe's statement. I came into the room when he had apparently just received the letter. He was indisposed at the time. I think he "handed the letter in my presence, and finding that it was from you, he gave to me the letter to read. I cast my eyes over it, and remarked that it related to the Seminole war, and would require his attention, or something to that effect. I thought no more of it. Long after, I think it was at the commencement of the next session of congress, I heard some allusion which brought the letter to my recollection. It was from a quarter that induced me to believe it came from Mr. Crawford. I called and mentioned it to Mr. Monroe, and found that he had entirely forgotten the letter. After searching some time, he found it amongst some other papers, and read it, as he told me, for the first time. Mr. Monroe's account of the matter, written in December, 1818, shortly after the meeting of congress, proves that this story, as to time, is entirely fabulous. That letter, connected with that of the 19th of July, proves that the hunting up of the letter on the suggestion of Mr. Calhoun, and the reading for the first time, took place directly after Mr. Monroe's return from Loudoun, on the 14th July, 1818, during the deliberations of the cabinet. Upon this evidence may Mr. Crawford turn round and pity and taunt Mr. Calhoun for decay of his memory. He has notoriously published to the world a gross misrepresentation of this affair with the evidence of its incorrectness before him, in his own documents. If memory had failed him, he might have relied, for correct information on that account given by Mr. Monroe, in 1818, which is certainly more likely to be correct than any statement made by him now. He, Mr. Monroe, could not have forgotten the facts. Thus vanishes one of Mr. Calhoun's clouds of dust, which he had raised, to blind the people in relation to his own conduct towards gen. Jackson."

I shall not, however, turn upon Mr. Calhoun and reproach him with his decay of memory, for if he is to be believed, he never had any to decay, as I shall show before this review is closed. No, it is the want of veracity which must be reproached to Mr. Calhoun, and not the decay of his memory. In support of the argument of the *Globe*, founded on Mr. Monroe's letters of the 19th of July and 21st of December, 1818, I shall produce a passage from Mr. Monroe's letter to me, of the 8th August, 1830:—"I lay in bed more than a week, during which that letter (the confidential one), was removed,

and every thing relating to that war having been previously arranged, it was forgotten, and never read by me until after the meeting of the administration, and the decision as to the course to be pursued in reference to its management. My impression is, that I read it then on a suggestion of Mr. Calhoun, that it required my attention. Had I read it when I received it, I should have considered it confidential, and never have shown it to any one, however great my confidence in them might be." It is somewhat difficult to ascertain what Mr. Monroe's meaning in the foregoing quotation is. He states that "every thing relating to that war having been previously arranged, the letter was removed and forgotten, and never read by me (Mr. Monroe), until after the meeting of the administration, and the decision as to the course to be pursued in reference to its management." It is manifest that the first part of the foregoing sentence relates to the arrangement of the letters and papers concerning the Seminole war. The second member seems to present the idea, that the letter was produced and read on the suggestion of Mr. Calhoun, after the decision of the administration in reference to its management. The management of what? Of the Seminole war? That had terminated before the meeting. If Mr. Monroe intended to state that the letter was produced and read upon the suggestion of Mr. Calhoun, that it required his attention, after the decision of the administration upon the course to be pursued towards Spain and towards gen. Jackson, then it is manifest that he is mistaken. It is impossible, in the nature of things, that Mr. Calhoun could have believed or suggested, that that letter required the president's attention, after the decision of the administration upon the events of the campaign had been formed.

It was impossible, in the nature of things, that the president's attention could be necessary to that letter after the decision had been made on the events of the campaign. I have before me a letter from a member of congress from this state, in which he urges that "the confidential letter must have been before the cabinet, as it was necessary to a correct decision of the questions growing out of the Seminole war, and that the president and secretary of war ought to have been impeached if it had been withheld." When Mr. Calhoun referred to the letter, my impression was, and is now, that he wished it produced, to prove that gen. Jackson, instead of acting in conformity to the orders of the war department, had determined to take the Spanish posts before he received orders to take the management of that war. It is probable that when he referred to that letter, he was not aware that it had not been answered. It is easy to understand why Mr. Calhoun should call the president's attention to that letter, before the cabinet had decided upon the course to be pursued towards Spain, and especially towards gen. Jackson—but after that decision had been made, it is impossible to conceive a motive for bringing it under consideration. Mr. Monroe is then evidently mistaken in stating that the letter was produced and read upon the suggestion of Mr. Calhoun, after the decision of the cabinet upon the events of the Seminole campaign. It is a little remarkable, however, that the confidential letter is always produced upon the suggestion of Mr. Calhoun.

Mr. Monroe, in his letter to gen. Jackson of the 21st December, 1818, and of the 8th of Aug., 1830, to me, says, it was produced on the suggestion of Mr. Calhoun, and connects it with the proceedings of the cabinet, in which I say, I distinctly recollect it was produced and read, upon the suggestion of Mr. Calhoun. I will now state more at large the reasons of my distinct recollection of the circumstance. Mr. Monroe, before he left Washington, had particularly enjoined upon me not to leave Washington for Georgia until gen. Jackson's despatches should be received, and the cabinet should decide upon the events of the Seminole campaign. During his absence in Loudoun, I had frequent conversations with Mr. Calhoun, who uniformly informed me that gen. Jackson had no other orders for the government of his conduct, than those given to gen. Gaines. Those orders I had seen. His representations, which at that time I had no reason to doubt, made a strong impression upon my mind, and extremely unfavorable to gen. Jackson. I entered the cabinet, therefore, with decided impressions against the general; which were removed only by the production and reading of the confidential letter, of which to the best of my recollection and belief, it was the first intimation I had ever received of that letter. I am confident Mr. Monroe is mistaken in his recollection of my coming into his room after Mr. Calhoun, and reading the letter. It is worthy of remark, too, that in his letter of the 21st December, when it

is more likely that his recollection was correct, than in the spring of 1830, he tells gen. Jackson that the letter was given to Mr. Calhoun, but does not remember me with Mr. Calhoun and that letter; and I have a distinct recollection of having him give the same account of it, several times. The vice president seems to connect me in the affair of the letter, in some of which did he think he has depended on Mr. Crowninshield's evidence by the letter he has received from him, but by comparing the two letters, it will be seen that the letter to him does not contradict a single syllable of his previous letter to me. Mr. Calhoun, in a note to Mr. Crowninshield's letter to him, says—"Nor could I have been present at any meeting of the cabinet on which I was,"—of the capture of St. Marks, late minister to Spain and Denmark, writes in the month of February last—"That it is now ascertained that the official news of the capture of St. Marks was received at Washington in the early part of May." He had particularly examined the records of the war department, and found that the despatch giving an account of the capture of St. Marks, in the note last referred to, says, that Mr. Crowninshield and the president left Washington on the 25th of May—and Mr. Crowninshield in his letter to Mr. Calhoun, says, that he could not know any thing of a cabinet meeting after the 25th of May.*

But the vice president surely has no regard to accuracy when he asserts that Mr. Crowninshield could not have been present at any cabinet meeting on the capture of St. Marks &c. &c. &c. &c. at which I was. Could not a cabinet meeting have been held before the early part of May and the 25th of that month? Mr. Calhoun asserts the negative—but every person that has understanding to count on, will assert the affirmative. This assertion of the vice president in the city of Washington, where the evidence existed, proves his reckless disregard of the truth in all occasions where he conceives it to be his interest to violate it. In regard to this assertion of the vice president, Mr. Erving observes: "These are stated assertions, since it is now ascertained that the official news of the capture of St. Marks was received at Washington, early in the month of May, nearly three weeks before either he or Mr. Crowninshield left that city; consequently it was very possible that that affair might have been the subject of a cabinet council when they were both present."† In the same letter Mr. Erving says, "That Sir,

* Gen. A. Jackson to the secretary of war.

Head quarters, division north, camp near St. Marks, April 26, 1831.

Reports his attack on the Yekasouka village—his taking the fort at St. Marks, &c.

The above communication is on file in the war department—post-marked New Orleans, April 30, 1831, and was received in the month of May, as appears from the record, from which the above transcript is taken.

Department of war, July 19, 1831.

JOHN ROBB, ch. clk.

[From the National Intelligencer of April 29th, 1831.]

"INDIAN BATTLE."

Milledgeville, April 17.

Captain Callis, who has just arrived in this place from Fort Hawkins, has politely furnished us with the following highly important intelligence:

About the 6th instant, general Jackson attacked and burnt the Mickaskee town, with an inconsiderable loss on his part. The loss of the Indians is not stated. It is supposed to be, and after the action, a number of the enemy surrendered themselves prisoners.—All their resources (among which were 1000 head of cattle) were taken or destroyed. The celebrated prophet Francis, and one of the principal chiefs, were hanged.

Gen. Jackson afterwards proceeded in St. Marks, and took possession of the fort without opposition. It is the impression that this blow has been decisive, that the war with the Indians is at an end, and the Georgia militia will soon return to their homes.

[From the same paper, of the 30th April.]

EDITORIAL.

We have a few further particulars of the late progress of the Indian war. The Tennessee detachment had one man killed and four wounded in the skirmish with the Indians at Mickaskee. Of the Indians, seven were killed; how many wounded, not known. Five negroes were taken the next day. The commander of the Spanish post of St. Marks, taken possession of by gen. Jackson, protested against the measure, but did not oppose its execution by force. The Georgia militia will be marched to Francis's hill, and in a few days be discharged. Capt. Arinthnot, a British officer, was captured at St. Marks, and is supposed to have been the same who, some time ago, commanded the Negro fort on the Appalachicola, which was destroyed by our forces under ed. Church. St. Marks, when taken, was strongly fortified, had twenty pieces of heavy ordnance mounted, and was garrisoned by about fifty men, who have since embarked for Pensacola.—Mr. Intosh, whose sagacity and enterprise are to merit commendation, has captured about one hundred more prisoners.

In the National Intelligencer of the 6th May, there is a despatch from gen. McIntosh to D. H. Mitchell, stating that a fight had taken place between his warriors and those of McQueen, in which the latter were defeated.

[From the National Intelligencer of the 16th May.]

OF THE INDIAN WAR.

Major Perrault, of the United States' topographical corps, arrived at Mobile on the 20th ult. direct from the seat of war, gives

Crowninshield asserted the accuracy of every fact in his letter to you, [me], and his relation to me circumstantially what posed in the cabinet consultation to which it refers. The question in the cabinet was, whether we should take possession of the Floridas. He was opposed to the project, and spoke against, and he mentioned to me in general terms the argument which he made use of on that occasion. He will recollect that a certain private letter was asked for, that Mr. Monroe had forgotten it, but went to look for it, in some cabinet box or trunk, (red or blue, I think he said), in this was found the letter. Mr. Crowninshield's recollection is minutely exact. He recollects as though he now could see the corner of the small box in which the letter was found, the very place in the room where he himself sat during the discussion, and all similar details.† Mr. Calhoun must, therefore, resort to some other shift or device to get rid of Mr. Crowninshield's evidence, more deceptive, than his naked assertion, that Mr. Crowninshield could not have been present at any cabinet meeting at which he was, on the Seminole campaign. The records of the war department show that this assertion is untrue.

The declarations before stated by Mr. Erving, were made subsequent to the date of Mr. Crowninshield's letter to Mr. Calhoun. He is a man of undoubted veracity, and although my memory does not enable me to offer any explanation upon this subject, I have no doubt that his statement in his letter to me is substantially correct; because his memory is distinct, and he states facts clearly and unequivocally. He is a man of unquestionable veracity, and his facts are recalled by Mr. Monroe, Mr. Adams, Mr. Wirt, or myself. They are besides facts that could not have been obtained any where else than in the cabinet council. This circumstance is conclusive, and must prevail with all unprejudiced minds.

It may be proper here to state, that I have no distinct recollection whether Mr. Crowninshield or Mr. Wirt were present in the cabinet council of July, 1831, or were absent from it. Mr. Calhoun and Mr. Adams I know were present. If I had recollectedly that Mr. Crowninshield had been absent as I now suppose him to have been, I certainly should not have applied to him for information. But the information given, evidently applies to a cabinet council at which he and Mr. Calhoun were present, and at which the confidential letter was produced. It is then demonstrated that the letter written by Mr. Crowninshield to the vice president, does not impugn in the slightest degree the facts stated in his letter to me. That letter does not give the date of the cabinet council to which it refers, and dates and references disprove the assertion of the vice president, that Mr. Crowninshield could not have been present at any cabinet, at which he was, upon the events of the Seminole campaign.

It remains for me to say a few words on the charge of disclosing cabinet secrets. I have but little to add to what I have urged in my letter of the 2d October. The principles stated in that letter are believed to be orthodox. In this republic, the president is appointed by the nation, and he appoints his cabinet by and with the advice and consent of the senate. The president and his cabinet are therefore responsible to the republic for their acts. Those acts for which they are responsible, ought, therefore, according to the principles of the government, to be known—otherwise the highest public functionaries known to the constitution are irresponsible. To this responsibility, inherent in our constitution, there is but one exception sanctioned by usage. If the secrets of the cabinet are disclosed while the cabinet is in existence, and charged with the management of the national concern, the cabinet might be rendered incapable of conducting those affairs successfully. This is the broadest ground upon which the secrecy of the cabinet transactions can be placed. By some it is contended, that in a government like ours, a secrecy should not be extended beyond the accomplishment of the objects which have been the subject of the cabinet deliberations. That when the measures which have been the subject of those deliberations have been effected, if they are beneficial to the republic, the people ought to know the extent of their obligations to their public functionaries; and if they are injurious to the community, that community ought to be placed in a situation to form a correct judgment upon the conduct of their public functionaries: I have acted upon the first principle; I have disclosed the proceedings of Mr. Monroe's cabinet on the Seminole war only after it ceased to exist, and then only in a respectful, and not a secret manner, and those proceedings had been communicated, not only to general Jackson but to the nation. It is a matter of general notoriety throughout the union, that general Jackson believed I had been indirectly to him in the cabinet deliberations on the Seminole war. By whom was that impression produced? By Mr. Calhoun and his friends. I am perfectly willing that the president of the United States should state *how*, and *by whom* that impression

the subsequent additional intelligence relative to the operations and movements of general Jackson. After the conflagration of the Indian town of Mickaskee, and the destruction of the cattle and some few Indians, the general proceeded to St. Marks—the Spanish garrison surrendered as prisoners, and had arrived at Pensacola. From thence he directed his course to Suwanee, where there were about two thousand Indians and negroes, who, it was supposed, would be ready to take arms. P. confirms the account of the execution of the prophet Francis and an Indian chief, Arinthnot (Woodbine), in Jackson's possession, and in arms. The army of gen. Jackson is represented to be in health, high spirits, and amply provided, so that a decisive blow has no doubt been given. He has been joined by the Tennessee Volunteers. His force now, five thousand.—(Fed. Rep.)

was made upon his mind. The only ostensible act having that object in view, which is within my own knowledge, is the celebrated Nashville letter. That letter contained two falsehoods, one to my injury and use for Mr. Calhoun's benefit. No other human being was in on this treacherous globe, except Mr. Calhoun, who has an interest in fabricating those falsehoods; at least, the latter one. Until he shows that the letter in question was written by some one else not under his influence or direction, or shall point out some other person having an equal interest with himself in that fabrication, he must pardon me, at least, for considering him to be the author of that letter.

I here terminate this narrative, so far as my defence is concerned, and shall turn my attention more directly to the correspondence, and to the contradictions and commitments to which Mr. Calhoun has subjected himself in his several publications. Almost in the commencement of his address, he presents a letter from Mr. Wilson Lumpkin, containing one from Gen. Daniel Newman, enclosing the copy of a letter from me to Alfred Balch, esq., of Nashville, in answer to one received from him. Mr. Lumpkin, it will be observed, is very dissipated in the use of terms of reproach and vituperation; and general Newman is not much behind him. Of these two men it is sufficient to say, they are both *apostates* from the republican ranks. They will both, probably, deny this—*They are, however, both Clark men.* This they cannot deny, and they were both Clark men when about eight years old, namely, when they both about the same time made a political conversion. They are both unquestionably political turn-coats. Mr. Lumpkin is now the Clark candidate for governor. That party in this state is a mongrel party, formed of the worst materials of the political parties which have heretofore prevailed in Georgia. Gen. John Clark, the leader of the party, was believed to be a federalist—not flinging in 1824, but he was converted to support Mr. Adams, as declared for gen. Jackson. At the election in 1828, the only two electoral candidates for Mr. Adams were Clarkites; one of them had been his confidential secretary when he was governor. This man (gen. Clark), had succeeded in a wonderful degree in combining all the ignorance in the state in his support. It may be laid down as an axiom, that in the United States, if a man changes his politics, he has no other object in view than to change from selfish, and therefore dishonest motives. It is a notorious fact, that both these men were more than 30 years of age when they changed their politics. It is not wonderful then that there should be sympathy between them and Mr. Calhoun. The old adage, that birds of a feather will flock together, was never more fully verified than in this instance. The vice president is welcome to the copy of the letter which he has been obliged to give Mr. Balch, without his knowledge, permission, or consent. I have the letter of Mr. Balch now before me, in which he says, "The copy was not furnished with my knowledge, privity or consent." If I had supposed the copy of the letter would have been acceptable to Mr. Calhoun, I would have sent him a copy, and thereby possibly have saved his friend Newman from the shame and disgrace of publishing letters, he never wrote or said any thing of Mr. Calhoun; that I would not have written or said to him, had the occasion made it proper. Mr. Lumpkin, whom I have long known, prides himself upon being a very shrewd observer of passing events. Independent of his strong desire to communicate facts, to his friend the vice president, he assumes the character of a prophet, and ventures to predict what general Jackson will do, and what the result will be of the passing events, and the prophet, as he usually is called. He tells the vice president, "that from the day Pennsylvania took up gen. Jackson, every conspicuous friend of the vice president supported gen. Jackson, with constancy, zeal, and uniformity, and that gen. Jackson knows it." Leaving it therefore to be inferred, that every conspicuous friend of Mr. Calhoun in this matter, had been influenced so to act by the vice president. Now, unfortunately for his friend Lumpkin, the vice president declares to the people of the United States, that he was neutral between gen. Jackson and Mr. Adams. Wonderful! It is presumed that there was not another individual in the United States in this happy state of quiescence upon the presidential election. General Jackson and Mr. Adams were so unlike in their temper, manners, and principles, that it is at least difficult to conceive how any man who had the least common sense, could be neutral between them; and yet he was. But I believe Mr. Calhoun was not even neutral between those gentlemen. Does the nation recollect the letter of the 3d of July, 1824, by which Mr. Calhoun, Mr. Adams, and John McLean, then postmaster-general, withdrew their names from the 4th of July dinner, at Washington, because *Ninian Edwards* was excluded from that dinner? How happened this union? That letter, at least, shows a friendly feeling between them; and the act was done to prop the tottering reputation of one of Mr. Adams's political supporters, whose son-in-law wielded the vote of Illinois; which vote secured Mr. Adams's election. If it had been withheld, he would not have been elected, at least on the first ballot. Mr. Calhoun states that his opinion between the two candidates, towards whom he was in the happy state of neutrality, was founded upon principle, which he is, however, careful not to disclose, but leave to be inferred from the subsequent conduct. What that principle is, I am entirely at a loss to conjecture; nor has his subsequent conduct furnished any clue to arrive at it. Does he mean that the principle he alludes to is, that the candidate who receives the highest electoral vote must necessarily be elected by the house of representatives? The constitution has no such principle in it. If that had been the intention of the framers of that instrument, they would have said that the candidate receiving the highest number of electoral votes should be president. Or does he mean that the representatives of a state are bound to give the same vote as the electors had done? That principle is not in the constitution. The only limitation imposed upon the house of representatives, is, that they shall elect one of the

three highest of the candidates. This the house of representatives did, and therefore violated no principle of the constitution, however they may have infringed upon the principle of the vice president, who is entitled to be elected. I believe the clause that tell what he means, if he means any thing, which is very questionable. Mr. Lumpkin, after stating the conduct of the vice president's friends, adds: "How then can it be possible that gen. Jackson can suspect the friendship, constancy, or sincerity of you, or your friends. No, he cannot. He will not, he does not. I have quite too much confidence in the general to believe such idle tales." But gentlemen, he has been detected in the course that Mr. Calhoun has pursued, and he is equally deceived in that which the general has pursued, and will probably continue to pursue, towards the vice president. The keen observer of passing events and the prophet are alike mistaken, both as to the president and vice president; but possibly he may be more fortunate than I have been in discovering the important principle which the vice president thinks ought to have governed the election of president, by the house of representatives, in February, 1825.

I proceed now to comment upon Mr. Calhoun's notes; to my letter of the 2d of October, 1830. It is, however due to myself, to state, that, that letter was written without any expectation that it would be published. I am, however, glad, that it was published, and that it has been accompanied with notes, by the vice president. This letter establishes a fact, which is a relief to me. John C. Calhoun established the Washington Republican for the purpose of vilifying my reputation; and 2d, That he was the instigator and inventor of the charges of *Ninian Edwards*, against my official and private character. The evidence by which these charges are established, would be received in any court of justice in the civilized world; and is a hundred times stronger than that which he has deemed sufficient against me in the courts of the United States. I have applied in our courts, that where the parties to a suit are together, and one alleges a fact touching their law suit in the presence and hearing of the other, which is not denied by the other, it is good evidence against the party not denying it. My letter to the vice president, of the 2d of October 1830, was answered by him on the 30th of that month. That letter, was, therefore, in his hands from the 30th of October, to the 1st of February, when he annexed a parcel of notes to it, in the "Telegraph." I shall in the sequel, state the evidence upon which those notes are ascribed to the vice president. They are such, that he at least, will be constrained to admit. In my letter to the vice president, of the 3d of October, 1830, I charge him with having established the Washington Republican for the purpose of vilifying my reputation, and that it was a vehicle for the work of his office, or his private editor, or his private clerk, or his private secretary, or his private friend, or his private enemy. I have not the means of ascertaining whether the letter be correct or not, but I do decide, that I should not let it be admitted. How does that benefit the vice president? Had McKenney been appointed a clerk before he became editor, or even while he was, Mr. Calhoun would in all probability, have alleged, that any interference by the secretary to prevent the abuse which was heaped upon me, by that press, would have been an infringement of the liberty of the press. But if the appointment was made, after his removal from editorial office, it is apparently more to remunerate the secretary, he had rendered by abusing me. In my letter of the 2d of October, I inform Mr. Calhoun, that he had been charged in a Charleston paper, with being concerned with the *Ninian Edwards* conspiracy, to destroy my reputation, and charged him with having excited Edwards to the act, and with reviving the charges; and state what general Noble informed me, of (his Calhoun), daily visits to Edwards, for 8 or 10 days before he set out for the west. No part of this charge is denied in the notes. The whole charge is therefore admitted. In the vice president's elaborate essay of the 20th of May, 1830, to the president, speaking of the Nashville letter, he says, "the Mr. Crawford, offers no reason for charging me with so dishonorable an act, as that of betraying the proceedings of the cabinet, and that for the purpose of injuring one of my associates in the administration." He adds, "I think the cabinet is to be blamed for this, and not Mr. Adams." In my letter of 2d October last, to the vice president, is stated, 1 "copy a question from your letter of the 20th May, 1830, thus expressed: you ask, why not charge Mr. Adams with having written it?" My reply is that the answer is conclusive. "That letter contained two falsehoods, one intended to injure me, the other to benefit you, (John C. Calhoun), and that which was false (John C. Calhoun), benefited Mr. Adams half the credit of defusing general Jackson, and giving it to you, (John C. Calhoun). Admitting for the sake of argument, that Mr. Adams was disposed to injure me, no one will, I think, suppose that he would voluntarily ascribe to you half the merit of his own actions, to the man who was the most strenuous opposer of his wishes. If the intrinsic evidence of the letter, fixes it upon you, (John C. Calhoun), and not upon Mr. Adams, subsequently, the vice president, corroborate the evidence deducible from the published letter." To the foregoing reasoning, no objection is taken in the notes. The reasoning is, therefore, admitted to be legitimate and sound. But it may possibly be urged by the vice president, that this is carrying the principle of admission too far. This would be admitted if Mr. Calhoun had confined his notes to facts; and had not introduced into them, in substance, the evidence of the vice president, of the 2d of October last, 1st, "you say that the decision of the cabinet was unanimously agreed to." This, I believe, to be untrue, and I believe you knew it to be untrue, at the time you wrote it. My reasons are the following: The cabinet

deliberations commenced on Tuesday morning, and on Friday evening, I thought all the questions had been decided, and Mr. Adams was directed to draft a note to the Spanish minister, conformably to those decisions. I intended to set off for Georgia on Saturday morning, and in order to prepare the department for my absence, I was busily employed in office, when about 1 or 2 o'clock, I received a note from the president requesting my attendance. When I entered, the greatest part of Mr. Adams' note had been rejected, and the remainder was shortly after, because it was written not in conformity to the decisions which had been made by the cabinet, but expressly contrary to them. He was again directed to write the note, conformably to the decisions. This was late on Saturday evening. The next morning, I set off for Georgia." Mr. Adams' letter of the 25th of July, 1830, now before me, reiterates all the arguments he urged in the cabinet, and in it he informs me, "That the exposition which appeared in the *Intelligencer*, was not written by him." From all these facts, I think it is fairly inferrible that Mr. Adams did not agree to the decision of the cabinet, and that you must have known for it, as it is certain that he did not agree to it, on Saturday, and it is highly improbable that any argument should have been urged to convince him after he had been twice directed, to draft his note in conformity to decisions which had been previously made." To this train of reasoning, the vice president appends the following note: "This appears to be a non sequitur. The decision may have been unanimous, and a new acquiescence, by a majority, may have been made. I am perfectly willing that the intelligent reader should decide the question of logic, between us, by adding a single observation, that in the ordinary routine it was the duty of the secretary of state, to have drawn the exposition which appeared in the *Intelligencer*; and that he would have done it, is highly probable, but from his having dissented from the principles it contained. In this foregoing note, the vice president evidently objects to the argument presented in my letter, and he excepts to the argument in this case, he was more strongly bound to except to the argument, tended to fix upon him, the writing of the Nashville letter, if it was illogical and unsound, especially as it was presented in compliance with his express demand, contained in his letter of the 29th of May, 1830. By his objecting to the correctness of the argument, in one case, and waving any objection to that furnished at *Adm. request*, he should be considered as having acquiesced in the correctness, and legitimate soundness of the conclusion, that he is the author of the Nashville letter.

I will now explain the reason why I consider the vice president at the author of the notes appended to my letter in the *Telegraph*. In his elaborate letter of the 29th of May, he says, "He, Mr. Crawford, was at Middletown on the 10th of August, a few days after he passed through Augusta, and a little after there appeared a statement in the *Georgia Journal*, somewhat varied from that made in *Edgfield*, but agreeing with it in most of the particulars. I cannot lay my hand on the article, but have a distinct recollection of it. You no doubt remember it, circumstances fixed it upon Mr. Crawford, and it has not, to my knowledge, been denied." Here it is seen that Mr. Calhoun relies upon my silence as evidence of guilt; as evidence that I had communicated cabinet secrets to the editor of the *Georgia Journal*, although he does not pretend that the statement in the *Georgia Journal* was chargeable upon me, but that journal, and does not deny the circumstances that he says fixed it upon me. When it is presumed, that he had Clark's pamphlet before him, and, which, though written by the most vindictive and malignant being that ever existed, admits that the editor of the *Georgia Journal*, formally stated, in the following paragraph: "It may be proper to state, that we did not, as has been erroneously supposed, derive our information from the secretaries of the cabinet, Mr. Crawford, respecting the reported division of the cabinet, on the propriety of arresting Gen. Jackson for his late conduct." I never suspected, that I had been charged with any connection with the statement in the *Georgia Journal*, until some time in October of the year 1830, when a pamphlet published by John Clark, then governor of Georgia, fell into my hands, which contained the charge, accompanied by the evidence of the charge which the governor had been able to collect; but the evidence was of a nature so ridiculous, that none but the author would have made the charge. The same Wilson Lumpkin, who figures in the correspondence and address of the vice president, informed me that gov. Clark had sent the charge and the evidence, to gen. Jackson, to be by him laid before the president. It is presumed that Mr. Calhoun was constant of this fact, as he tells the president in his letter of the 29th May, 1830, "You no doubt remember it." I was never informed by Mr. Monroe, whether this charge was submitted to him. But he informed the senators from Pennsylvania, that the general had urged my removal from the cabinet, and they communicated it to me, the same day. The pamphlet just referred to, contained no currency. I do not recollect to have seen a single reference to it in any newspaper, not even the Washington *Republican*, although the pamphlet was published expressly to affect the presidential election. It was so ridiculous and malignant, that even Mr. Calhoun's press, the Washington *Republican*, which teemed with daily abuse of me, thought it prudent not to use it. Yet it is a charge contained in such a pamphlet, and under such circumstances, that the vice president considers evidence against me, because I had not denied it.

A number of the *Globe*, dated in the latter end of February last, contains explanatory of the notes appended to my letter of Oct. 2, 1830, by the vice president, which is headed by the following remark:—"The editor of the *Telegraph* has published Mr. Crawford's letter to Mr. Calhoun, patched all over with the notes of his antagonist. It is but fair to give the explanatory notes given by a friend of Mr. Crawford." Here the charge is direct and positive. The vice president was in the city, and

must be presumed to have seen the charge. *Mid. silence*, therefore, is evidence, that he was the author of the notes. It is, at least, evidence to which he cannot object; for it is tenfold stronger than that which he has urged against me. This remark has already been published in a variety of papers, and must, therefore, have reached him through a variety of channels. He has contradicted none of them, and must be presumed to have acquiesced in the truth of the charge. Besides, no one can believe that Mr. Calhoun would have confided the task of writing the notes to another person. In his letter of the 31st Oct. last, returning mine, it is seen that he intended to use that letter against me. I have never before the appearance of Mr. Calhoun's publications, understood and felt the force and intensity of that exclamation of the patriarch Job, "Oh that mine adversary had written a book."—Mine has written two books and one set of notes, by which he is convicted by legal evidence,—1st of having written, or caused to be written, the Nashville letter, which, in his letter of May 29, 1830, he asserts never to have seen. 2d, of having set up the Washington *Republican*, for the purpose of vilifying my reputation. 3d, of having conspired with Ninian Edwards to destroy my official and private character. In his letter last referred to the vice president pronounces; "that it would have been dishonorable for him to have written the Nashville letter to injure one of his associates in the administration." No rational being, will, I think, dissent from this sentence. But he is by his notes, convicted of this dishonorable act. Now it is respectfully submitted, that the conclusion to be drawn from this evidence, is whether it is more dishonorable to have written that letter, which contains but one falsehood, to the injury of that associate, than to have established a press, for vilifying the reputation of the same associate, which teemed with daily falsehoods upon that associate.

The vice president affects much patriotism and great veneration for the fundamental institutions of the United States. There is none of those institutions more vital than the liberty of the press. That liberty can never be impaired in the United States, but by its licentiousness. It is firmly believed that no press established in the union carried the licentiousness of the press to such extremes as the Washington *Republican*, not even excepting the notorious *Peter Porcupine*. The vice president is therefore an enemy to the liberty of the press. Again, it is respectfully submitted to the community, to decide, whether it was more dishonorable to have excited Ninian Edwards to conspire with him to blast my reputation for ever and fix a stigma upon my innocent and unoffending children? The foregoing questions are submitted with the fullest confidence, that the answers will be such as a virtuous community ought to give; that the dishonorable conduct, rises in regular gradation and terminates in a climax. The vice president is convicted of the crime of enmity against his friend, as represented by him as his bitterest enemy, his most inveterate enemy. It is true I feel no friendship for him, and have not since the publication of the Nashville letter, and have never made declarations of friendship for him since that period. What is the evidence which he produces of my enmity to him? 1st. My letter to Alfred Balch, esq. 3d. My letter to Mr. Barry, respecting the rejection of vice evidence. The rejection was required to expiate this evidence, with the charges which have just been established by legal evidence, against the vice president, and decided between us, which has furnished the most evidence of enmity and resentment. Some English author I do not recollect which at this moment, says that a man who has been injured by another may forgive the injury, and even become the friend of the person who inflicted the injury, but that the person who inflicted the injury, can never be reconciled to, or be the friend of the person who injured. If this reasoning is applied to the vice president and myself, it must be evident that he can never become my friend, but that it is possible I should become him. But what does the vice president mean when he charges me with being his bitterest enemy? Does he mean that I would do him an act of injustice or personal injury? If he means this he is wrong. There is not a human being in the world to whom I would do a personal injury, or an act of injustice. But if he means I am not friendly to his further promotion he is right. I know his radical unworthiness, and could not conscientiously aid his further elevation to office. If I were to do it, I should render myself the accomplice of the injury which he might and probably would inflict upon the community.

At the vice president, in his notes to my letter, insists upon Mr. Duffie's evidence, and that is evidence in the foundation of almost all his reasoning, and of almost all the inferences drawn in his elaborate letter of the 30th of May, 1830; it is proper at once for me to say there is no truth in any part of Mr. McDuffie's statement, except that I passed through the village of Edgfield, in the summer of 1818, and was at the house of col. Simpkins. Every thing beyond that in Mr. McDuffie's statement, is the fiction of his brain, (see Judge Moore's letter.) After reading that letter

*Lexington, (Ga.) June, 1831.

Dear sir,

In answer to the inquires you made of me the other day, I beg leave to state—the conduct of gen. Jackson in the Seminole war of 1818, produced as great feeling in our little town as it did in any other part of our state. You had written on to Thomas W. Cobb, esq. one of our representatives in congress, and who then resided in Lexington, that you would leave Washington for Georgia as soon as a cabinet meeting should adjourn which would be held to make some inquiry into this matter. Your arrival in Lexington was looked for with great anxiety, and I remember the day you did arrive, that Mr. Cobb and Dr. D. Dunn, now of Tennessee, were at my house at the time you were expected in that day's stage, no other person was present except those gentlemen and myself. This was the last of July of that

the reader is informed that I passed through the village of Edgefield on Friday morning, and arrived at Lexington, on Sunday, to dinner. Col. Simpkins and Mr. McDuffie, my neighbor, presented my introduction. Messrs. Moore, Cobb, and Dudley Dunn, were my personal and political friends and neighbors. Can any man in his senses believe I would have made the disclosures, attributed to me by Mr. McDuffie on Friday morning, and on Sunday should have refused all such communications to my personal confidential and political friends? But in the presidential canvass of 1823 and 1824, every thing was wielded by Mr. Calhoun and his friends, to injure me, and none of those friends were more active than Mr. McDuffie. I remember in one of his dinner speeches at Cambridge, I think, he designated me as the radical chief, a term at that time, in the estimation of Mr. McDuffie and his patron Mr. Calhoun, of the bitterest reproach. If the facts contained in Mr. McDuffie's letter to the vice president, had been known, they would have been proclaimed at every cross roads, muster ground, and even upon the home tops not only in South Carolina, but throughout the United States. Not a whisper, however, was heard of them during that period of excitement, because they had not been instilled, and were conceived and brought forth only when it was believed to be necessary for the vice president's defence. Edgefield, whose letter in the French publication has been for many years a subject of the interior courts of Oglethorpe county, and very extensively known in this state, and where he is known enjoys the reputation of a man of honor, honesty, and veracity, equal to that of any man in the state or United States. His statements are therefore entitled to full credit. Dr. Dunn, who now resides in West Tennessee, on doubt recollects the same facts and will doubtless confirm them when required. It may be alleged that the vice president, had been in house was confined to the time which elapsed between the breakfast of the passengers and the starting of the stage. Every per-

son who has travelled in the stage, knows that it is generally ready to start before the passengers have finished their meals. My visit to Mr. Simpkins, must therefore have been but a few minutes, yet Mr. McDuffie has furnished his friend with materials for an hour's conversation at least. The reasons contained in my letter of the 2d of October, were sufficient to have convinced any truth speaking man of the falseness of Mr. McDuffie's statement, but I am not at all surprised that the vice president did not feel their force, as his own conduct did not enable him to appreciate them.

The vice president's pamphlet, discloses a piece of evidence that I had not before seen. It is the letter of Robert S. Garnett, late a member of congress from Virginia. Mr. Garnett, in his letter, seems to be in haste to make the important communication. To use the humanitarian phrase he seems to have gone off at half past ten. In his letter to the vice president he makes me say that Gen. Jackson ought to be censured, and the extract from his diary which immediately follows, (and which, it is presumed, was before him when he wrote his letter), makes me say that the general ought to be censured. Now it is seriously submitted to every rational and reflecting person, whether even the diary of a man is entitled to any credit who cannot distinguish between the words censured and censured. I conscientiously believe that I never used either of the words ascribed to me by Mr. Garnett. My conduct towards Mr. Cobb, upon the subject of his resolutions, contradicts Mr. Garnett's story. So does Judge Moore's letter. So does my recollection of the sentiments entertained of the propriety, or rather of the impropriety of a legislative inquiry into the subject. But I will not press this subject further, for I really have no unkind feeling towards Mr. Garnett, and had rather be subjected to the slight stain of inconsistency, his diary may cast upon me, than that he should be subject to a much greater imputation.

The vice president in one of his notes, says that a very material part of Mr. Adams' letter to me has been withheld by me. That material part is negative wholly, and it will be seen by the annexed extract of my letter to Mr. Adams. I did not expect to be remembered any thing about the confidential letter, and assigned my reason for it. Mr. Adams has done so as received a copy of my letter from Mr. Adams, as I have authorized him to furnish. If there is any thing in that letter which in his opinion tends to contradict or weaken the force of that extract, he can expose it by publishing the whole letter. Mr. Adams states the grounds on which it was proposed to bring general Jackson to trial, but does not state by whom it was urged. In my letter of the 2d of October, 1850, to the vice president, I state that "Mr. Adams told me that all the members of the cabinet were of the opinion, and made any proposition of an entirely voluntary character to the general, and add that if he denies that the charge in Mr. Adams' letter applies to him, I will obtain the necessary explanations." The vice president appends no note to this part of my letter, and must therefore be considered as admitting the truth of my statement. But his pamphlet shows that he has addressed a letter to Mr. Adams, on the subject of his letter to me and has not ventured to ask the question of him. This is therefore a second admission of the truth of the charge that he proposed to bring general Jackson to trial. I still believe there was no express proposition to arrest or try Gen. Jackson. But the vice president's own admission if duly considered and analyzed, amounts in substance, to that and nothing else. He admits that he proposed inquiry. There are I believe but two modes of inquiry known to the law as starting, one a court of inquiry, and the other a court martial, which is always resorted to when the facts upon which the government is called upon to decide are not well ascertained; a court of inquiry is proper, and the duty of the court is simply to ascertain the facts, and report them to the government for its decision.

2d. A court martial for the trial of military offenders, when the facts are sufficiently ascertained, for the government to decide that the officer ought, or ought not to be put on his trial. In the case of Gen. Jackson, the facts were all distinctly known. They consisted of the orders of the war department, and the reports and dispatches of the general under those orders. There was here no necessity for a court of inquiry. Mr. Calhoun then, in proposing an inquiry, did in fact, though not in words, propose a court martial, which pre-supposes an arrest. The president,

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†Extract of a letter from William H. Crawford to John Q. Adams, dated 5th July, 1836.

"I think it is probable that the letter I did not make a strong impression upon your mind, for I have no recollection that you made any use of it, in your effort to induce the president to support Gen. Jackson's conduct throughout."

†Extract of a letter from Thomas W. Cobb, dated Washington, May, 1824.

"You do justice both to Mr. Crawford and myself in saying that Mr. Crawford disapproved of the course which I felt it my duty to the constitution to pursue on the Mexican war. He did persuade me not to move any thing on the subject, and endeavored to convince me that there was no necessity. A part of our conversation occurred in the presence of John Holmes, of Maine, who no doubt will remember it. At another interview between ourselves Mr. Crawford again persuaded me not to be the leading mover on the subject, urging not only his former reason, but stating expressly his fears that from the friendship existing between us, my conduct would be charged to have been dictated by him. I replied, that I should be sorry if my conduct should do him any injury, but that I must be permitted to pursue that course which my conscience prescribed; especially as I firmly believed that the constitution had been violated in the most flagrant manner. Accordingly, I did move the resolutions on the subject to be passed in the journal of the house of representatives."

I am, sir, your most obedient humble servant,

JOHN MOORE.

who is acquainted with martial law, no doubt understood Mr. Calhoun's proposition as one subjecting him to arrest and court martial.

All the other of Mr. Calhoun's notes to my letter admit of a satisfactory explanation, or are too insignificant in their nature to require attention, and would well be review to an inconvenience. I therefore take my leave of them, reserving to myself the right of explaining, or refuting them, if it should hereafter become necessary.

In the publication of James A. Hamilton, esq. it appears, that after an interview with the vice president, after his return to New York, he wrote to the vice president, stating the facts which the vice president had communicated to him that were not of a confidential nature, and requested him to correct the statement if he had misunderstood him. The vice president replies and does not correct the statement, and does not even intimate that the statement was incorrect in any particular. Now, however, in his supplementary address he asserts that Mr. Hamilton's statement is incorrect. By the rules of reason and logic, the vice president is estopped from denying the truth of that statement, for when called upon for that purpose, he did not pretend that the statement was incorrect in any particular. But now he says it is inaccurate, and he could not have corrected it without exposing cabinet secrets that would have been improper. Who ever heard of such an excuse! All that he was required by Mr. Hamilton, was to say whether his statement was correct or not. No development of cabinet secrets or reasonings were necessary. He had only to reply that Mr. Hamilton's statement was incorrect, and if he pleased, to correct the statement. Mr. Hamilton did not even request him to do that. But the fact of principal importance disclosed is that the vice president did disclose the confidential secrets of the cabinet to Mr. Hamilton. Mr. Hamilton expressly says in his address, "the conversation was extended and on his part (the vice president's) embraced much that I never felt myself at liberty to disclose. The vice president then, in February, 1828, did disclose much of the confidential proceedings of the cabinet which Mr. Hamilton has never felt himself at liberty to disclose. It is only when the vice president understands the information given is likely to be published that his qualms of conscience are excited, and that he feels the sacred nature of cabinet secrets, although the facts intended for publication had not been communicated in confidence. He seems at that time to have had an instinctive horror of publication. I expect at this time he deeply regrets, that instinctive horror slumbered when he committed his first address to the press. This disclosure of Mr. Hamilton's will, I hope, shut the mouth of the vice president as to the secrets of the cabinet. Mr. Adams and Mr. Wirt, may continue to descend upon the sacred nature of cabinet secrets. They will find few admirers and still fewer advocates. The principles for which they and the vice president contend, not only dishonest counsellors. For my own part I never said a word or did an act in the cabinet, that so far as I was concerned, I should have been unwilling to be publicly known the same day. But the counsellor who would give advice in the cabinet, or do acts there, which he would be ashamed to own publicly, would place a great value upon the sacredness of cabinet secrets. Mr. Monroe and Mr. Crownshield have acted like honest men upon this business. They have said nothing about the sacred nature of cabinet secrets. Mr. Calhoun endeavors most zealously to make it manifest that he is acting in self defence, and that he is called upon by the president, to justify certain proceedings of his while in the cabinet; to account for his opinions and acts as secretary of the war department. The vice president well knew at the time that he was endeavoring to impose this charge upon the public, that it was untrue. The president, distinctly states his causes of complaint against the vice president. It is simply this, that while he had pursued one course in the cabinet, he had contrived to make him believe that he pursued a different and directly opposite course, and I have no doubt that he might have added with strict truth that he had contrived to make him believe that, I had acted in the cabinet, the part which he himself had pursued. Notwithstanding my conviction that the vice president had pursued this course, I have made no advance towards

the president to ascertain the fact. Duplicity is the only charge which the president has urged against the vice president. If he is innocent of the charge, why does he not publish his correspondence with the general, and show that he disclosed to him frankly, the course he had pursued towards him; until he does this he must remain subject to the charge of duplicity, urged against him by the president. Duplicity out of the cabinet and not for his conduct in the cabinet, is what the president charges against the vice president.

The vice president in his address, complains of plots and conspiracies directed against him. The Telegraph charges these plots and conspiracies upon Mr. Van Buren, and the Telegraph no doubt speaks by the authority of the vice president. Hark! my enemies have affected to consider me the principal whenever I have been charged with any agency. But now the vice president and his editor, seem to consider me only as the instrument of Mr. Van Buren. Which that gentleman and Mr. Cambreleng visited me in April, 1827, I do not believe that the presidential question was the topic of conversation during the visit; what makes me more confident on this subject is, that I have a distinct recollection that Mr. Van Buren wrote to me from Augusta, to know my determination on that subject, if I had forced me. Before they left my house they informed me that they intended visiting a gentleman of my acquaintance in South Carolina, of great worth and respectability. I wrote to him, introducing them. After they had left his house, he answered my letter, expressing much satisfaction with the visitors, especially with Mr. Van Buren, except in one particular, and that was that he seemed disposed to let Mr. Calhoun remain where he was. Now, says he, I want to punish him for the mischief he has done. This satisfied me that Mr. Van Buren was at that time not unfriendly to the vice president. Mr. Van Buren is charged with conspiracy, because he is the only person supposed to have an immediate interest in the downfall of the vice president; and the conspiracy is supposed by the vice president and his editor, to have originated in the spring of 1827, when Mr. Van Buren paid me a friendly visit; by placing his origin so far back, the charge defeats itself. The vice president in his letter to the president of the 25th August, 1830, alluding to my letter to A. Balch, esq. of the 14th December, 1827, says, "a proposition of the kind at that particular period when the election was most doubtful and warmly contested, needs no comment as to its object. The presidential election was then on the 14th December, 1827, most doubtful and warmly contested. Yet to give plausibility to the charge of conspiracy against Mr. Van Buren, it must be supposed not only that he foresaw gen. Jackson's election certain, but that he foresaw that the general when elected, would appoint him (Mr. Van Buren) secretary of state. This is giving that gentleman more foresight than he claims or deserves, and the vice president rather less than he possesses. If the vice president seriously intends to apply the conspiracy of which he thinks or asserts that he is the victim to Mr. Van Buren, he must make it originate after he became secretary of state, for until then he could have had no interest, in prostrating this political colossus. The truth is, there never has existed a conspiracy against the vice president. The only conspiracy that has existed since 1818, except of the vice president and Ninian Edwards against me, has been one conducted by the vice president and his friends, to expose me to the resentment and vengeance of gen. Jackson. Now that is unveiled and can no longer be concealed, the plotter cries out plots and conspiracy. The recent conduct of the vice president, brings forcibly to mind that line of the Latin author who says, "*Quem deus vult perdere prius dementat.*" Which being translated is, "He whom God intends to ruin, he first makes mad, or deprives him of his reason." If the vice president was not in this situation, he never would have published the correspondence. A title of the talents and tact, that he has generally been supposed to possess, would have prevented that publication.

But his want of reason did not stop with his determination to publish. The first want of reason and common sense, that I shall point out in the publication, is the disclosure of his pretended neutrality between Mr. Adams and the presidential canvass of gen. Jackson, in

1825 and '4. It seems he had managed to deceive his friends as well as gen. Jackson. There can be no doubt that Mr. Lumpkin believed him, a sincere, zealous, constant and uniform, "supporter of gen. Jackson." This opinion of Mr. Lumpkin, is communicated to him in January 1829. He never deceives Mr. Lumpkin until in Feb. 1831, he declares to the public that he had been neutral between Mr. Adams and the general. This declaration was wholly unnecessary. The principal thing he intended to do was to contradict me. That in his estimation was indispensable, but that imposed no obligation upon him to disclose his conduct upon that occasion. He might have saved Mr. Lumpkin's feelings and in all probability have preserved his friendship by silence. Again he affects great consideration for Mr. Monroe, yet in his letter of the 29th of May, so often referred to, he makes Mr. Monroe say, that the first time he had read gen. Jackson's private letter was in December, 1818, when he had before him Mr. Monroe's letter of the 21st December, 1818, in which he informs gen. Jackson he had read it in the July preceding, and on Mr. Calhoun's suggestion. Now although I have no high opinion of the accuracy or tenacity of Mr. Monroe's memory, it cannot be more defective than the vice president's if he is to be believed.

But there are circumstances connected with the question, that must be conclusive against the vice president. Mr. Monroe appears to have had the subject constantly in his mind. The vice president publishes with the correspondence, three letters from the president to the general, dated in July, October and December, in the last of which, he states *when and how* the confidential letter was read. In May 1830, nearly twelve years afterwards, with Mr. Monroe's account of the matter in writing before him, it makes Mr. Monroe say that he had never read the letter until December, 1818. However defective Mr. Monroe's memory may be, the vice president's is worse. In my letter to him of the 2d October, 1830, I state that some time in the year 1821, he informed me that his memory could not be relied upon as to facts even after a short lapse of time. In October of that year, I stated that fact to him in a letter, which he answered next day, and takes no exception to that statement. I do not make this statement from memory. I have now before me, a letter written by me, the next day in which that fact is recorded. The same fact is contained in my letter last cited. To the statement thus presented, Mr. Calhoun attaches no note, thereby twice admitting the correctness of the statement of the frailty of his memory. Yet in his letter of the 29th May, 1830, he asserts that his recollection is distinct, that the confidential letter was not produced and read. If the tables of his memory retained impressions as durable as brass, he could not have made this assertion, if he had had one principle of honor, or honesty in his heart. Mr. Monroe and Mr. Adams, have said as much as honest men could say, viz: that they had no recollection that it was produced and read. There is but one case in which it is possible for an honest man to make such a declaration. And that is when he has a distinct recollection of a fact which renders it impossible that the alleged fact should have occurred. But Mr. Calhoun does not allege any thing of this kind upon which to found his distinct recollection. It is his naked assertion of his distinct recollection that he palms upon the president and afterwards upon the good people of the United States by his publication. Now I repeat, that *no honest man*, could, or would have made such a declaration, let his memory be ever so good. How then could the vice president, whose memory he has twice directly admitted could not be relied upon as to facts, after the lapse of nearly twelve years pretend to recollect not a fact, but that a fact did not happen at a particular time, without pretending that any peculiar circumstance had riveted it in his memory.

At an interview, between Mr. Calhoun, and myself in October, 1821, without being called upon by any thing I had said, he stated, at the presidential election, for a successor to Mr. Monroe, there would be but two candidates; one from the north, the other from the south. *That he was young enough to wait.* This declaration was repeated with emphasis; and he added, if my friends did not act an unfriendly part towards him, it was easy to foresee what part he would take in the con-

test. In less than six weeks he was an avowed candidate for the presidency, and the only avowed one. He never made any explanation of this change of opinion, nor did I ever intimate a wish to be informed. His declaration, above stated, does not depend on my memory, for I have in my possession, a letter written by me, the day after the declaration was made. And since the publication of the correspondence, I met with a gentleman who was then friendly to us both, and for aught I know, is still, to whom in a letter, about the date of the declaration, I had communicated it. He reminded me of it, and urged me if I took any notice of the correspondence, to present this fact to the public. In compliance with his opinion, and advice, I have presented it.

I have been somewhat surprised, at the regrets that have been expressed by many of the newspapers, at the misunderstanding which has occurred between the president and vice president. It is certainly a misnomer to call it a misunderstanding, it is in fact a correct understanding between the parties between whom there has been a misunderstanding since the summer of 1818. Some doubts have even been expressed, whether the rupture would not produce a bad effect upon the ensuing presidential election: such doubts are entirely visionary. Let Mr. Calhoun go over to the opposition tomorrow, he cannot in my opinion control one electoral vote, not even in South Carolina, for I am credibly informed that the president of the United States, can get more votes in Abbeville district than Mr. Calhoun, although it is his native district. The truth is, I believe, Mr. Calhoun never was a republican in principle. He became a man after the federal party had been overthrown, and he had sagacity enough to be convinced that it would not rise to power in a short time. His ambition therefore prompted him to join the republican party. During the war the excitement which existed, and the pressure which the enemy made on the country, required all the vigilance and all the energy of those charged with the public interest. But after the war a new scene opened, and then it was discovered that many who had entered the republican ranks, were not republicans in fact. The tariff for the protection of domestic labor, and internal improvements, became prominent and leading measures, in both of which Mr. Calhoun took a leading and active part. He is now at the head of the nullifiers in South Carolina, to nullify the tariff of 1828, because it does protect domestic labor. I have no doubt many honorable respectable and well informed citizens believe in the doctrine of nullification. Mr. Calhoun is probably the only nullifier in South Carolina, who cannot be honestly so. If there be another, it is his friend George McDuffie, who at least is only second to him in inconsistency as a politician.

The vice president's past conduct, and present situation reminds me strongly of one of *Æsop's* fables, in which he relates that an ass having obtained a lion's skin, put it on him, and went into the forest where his appearance spread alfright and dismay among the tenants of the woods, who fled to their most secret covets and hiding places. Shortly after the ass began to bray. The spell was dissolved; the alfrighted beasts returned from their coverts, and collecting around, they stripped him of the lion skin, and exposed him to the scorn and ridicule of the assembled beasts. For about twenty years the vice president had assumed the part, and mien, and exterior of a patriot, and a man of strict honor. Through the agency of a parcel of young officers whom he had the address to attach to him, while he was secretary of war, he has managed to impose the belief upon the majority of the citizens of this republic, that he was what he seemed to be. Unfortunately in the month of February last, he came out with his address to the people of the United States. This address has had the same effect upon him, that the braying had upon the jacksass. That publication has produced inquiry and criticism. And inquiry and criticism cannot fail to expose the vice president to the scorn and ridicule, not of the assembled beasts, but of the citizens of the United States. I now take my leave of the vice president, by saying that if any of his quondam friends shall, after reading this review, wish to make him the object of adoration, they shall not be interrupted in their devotions by

WILLIAM H. CRAWFORD.

MAJOR EATON'S REPLY.

To Messrs. Ingham, Branch and Berrien,
ON THE DISSOLUTION OF THE LATE CABINET.

City of Washington, September, 1831.
TO THE PUBLIC.

It is with extreme reluctance that I appear before the public, upon a subject purely of personal character. To me, nothing could be more painful than the necessity of bringing into discussion, in the newspapers, any thing which concerns my private and domestic relations. In civilized society, a man's house is his castle, and the circle of his family a sanctuary never to be violated. He who drags before the public its helpless inmates, and subjects them to rude assaults, deserves to be considered worse than a barbarian. Against those who commit such sacrilege, and shun an honorable accountability, the public will justify an appeal, which, under other circumstances, might not be considered admissible. I expect not by this effort to silence those who have been assailing all that is dear to me. It may open afresh the fountains of their abuse. It is probable, that the very remorse and shame which an accurately drawn picture may produce, will excite my persecutors to raise clouds of fresh calumnies to break upon me with redoubled fury. Let it all come! my head is uncovered and my bosom bare.

There is another consideration which would seem to impose silence. These are times of angry political contest, unsuited to dispassionate inquiry. Already have the enemies of the president made use of my private relations to injure and harass him. In attempting to represent him as devoting his thoughts and his power to further my views and wishes, they seek to blind the people to the principles and acts of his administration. They will doubtless seize even upon my humble efforts at self-vindication as a means of promoting that design, seriously calculating by their machinations, that the people of the United States may be wrought into a "tempest of passion," and thus induced to forget the signal success of his foreign negotiations, and the unparalleled prosperity and happiness which, under his administration, our country enjoys.

But to all these consequences I submit myself with entire resignation. A portion of the community will at least do me justice. They will perceive that the president is in no need of any developments from me to give proofs of his integrity, and that it is not for his sake that I present myself before the public. It is a paramount duty which I owe to myself and to my family, and which shall be performed. Others may conceive, but I cannot describe the pain those attacks have inflicted. It was indeed enough that I was assailed in private circles, while I was in office; but retiring from its labors, with a view to sit down at my home, in Tennessee, it was but a reasonable expectation to indulge, that I might escape a repetition of these assaults, and be permitted to enjoy my fire-side and friends in peace. But instead of putting an end to this unfeeling war, my resignation served to make my enemies more bold. What before was whispered in dark corners, now glared in the columns of the newspapers. Men who had been my friends—who had received favors at my hands—who had partaken of the hospitalities of my house, and given pledges of friendship at my own board, became my deadliest enemies, while I still confided in them.

I sought that redress which wrongs so wanton and deeply provoked, and which public opinion, under such circumstances, has always justified. It was refused in a way which added insult to injury; and I was then accused, by one of the malignant calumniators, as having sought revenge at the head of a band of assassins. Not satisfied with privately injuring me in my own, and the honor of my house—

hold, and shrinking from an honorable and just accountability, these persons have, one after another, come before the public to give countenance and sanction to the calumnies of a reckless press. Mr. Ingham, Mr. Branch and Mr. Berrien, with evident concert, and deliberate design, by filling the country with erroneous and discolored statements, and substituting falsehood for truth, have sought to consummate the ruin which their conduct in office so insidiously began.

What can I do? What course adopt? There are persons committed to my charge who are dear to me. I am their only protector. Shall I see them worse than murdered, by men who claim the polish and the culture of civilized life, and not lift my hand and my voice for their rescue? These gentlemen express a desire to preserve their characters, as a precious inheritance for their children. Is the good name of a mother, of less value to her orphan daughters? Did they forget, that she whom so relentlessly they pursue, and who in nothing ever wronged them, has two innocent little children, whose father lies buried on a foreign shore? Has these little ones ever injured them? Were they and their mother so much in the way of these gentlemen, that in their malignity they should consent to sap the foundation of their future prospects in life? Had they no remorse, in conspiring and seeking to rob them of all that villany and fraud had left them—the inheritance of a mother's good name? And if they could be stimulated in their addresses to the public, by the desire of transmitting to their children a spotless honor and unsullied name, what might not be expected of me, in defence of the slandered wife of my bosom, and her helpless unprotected children? Attacks on myself, I disregard. A man's character is in his own hands: in his bosom he knows how to protect it. It is by his own acts only, that he can be degraded. Not so with a female. The innocent and the guilty alike, the envomed tongue of slander may reach and destroy. It is a withering blast, which can blight the sweetest rose, as well as the most noisome weed.

Although I expect nothing at the hands of those who can violate the laws of social life, and, all the precepts of "holy charity," yet by an exposure of their motives and designs, I may be able to render their future malignity powerless. This induces me to make this appeal to my countrymen, and to their award to trust it. There is in the public mind intuitive honor—a native sense of justice, which revolts at wanton attacks on female character, and in the end will visit the unfeeling assailants with terrible retribution. To these I appeal, and on these rely; not in the hope to silence the malignant and the vindictive but to make their attacks to recoil upon themselves.

A place in gen. Jackson's cabinet, by me, was never desired. My ambition was satisfied with a seat in the senate which thrice had been kindly bestowed upon me by my fellow-citizens of Tennessee. Distrust in my competency to discharge the duties of one of the departments, and a reluctance to encounter its labors, induced me to prefer my situation in the senate. About to enter upon untried scenes, with a limited knowledge of the characters and feelings of those by whom he was to be surrounded, the president felt anxious to have near him some of his long tried personal friends, in whom he had entire confidence. He desired that judge White, my colleague in the senate, or myself should accept one of the departments. I urged it upon judge White, because I considered him better qualified, and better adapted to the station, than myself. He declined it. I then felt it to be my duty to accept the offer of the president. He had just lost the partner of his bosom, and was solitary and disconsolate. As in his kindness he seem-

ed to think I could be serviceable to him, it did not seem consistent with the friendly relations which had long subsisted between us, to leave him at such a moment.

Mr. Van Buren was appointed, because the president had confidence in his talents and integrity, and because he appeared to be the expectation of the country. Mr. Ingham was selected, for the reason that the president was induced to believe that the democracy of Pennsylvania desired it. Mr. Barry, from a confidence reposed in him by the president, derived from his personal knowledge of his worth and merits. Between the first and last named gentlemen and myself, the most cordial friendship has always subsisted: nothing has ever arisen to interrupt in the least our friendly relations.

Mr. Branch and myself were born and reared in the same county of North Carolina, educated at the same college, and had been associates and friends, in early, and in more advanced life. I solicited his appointment as a member of the cabinet, and at the president's request informed him of the selection. He made no objection—not the least, save on the score of a modest distrust of his competency, and expressed at the time much gratitude towards the president, and exhibited much good feeling towards myself.

With Mr. Berrien I had been on terms of intimacy, and supposing him to be a man of talents and honor, was pleased that he was selected. The president requested me to confer with him in relation to his acceptance. At that time we were in habits of the kindest intercourse. He seemed highly flattered by this manifestation of the president's confidence, and offered no objection to an acceptance, except intimating a possible interference with his private business. The next day he informed me that he would accept, which reply I communicated to the president.

I met all the members of the cabinet as friends, personal and political, to whom was assigned the highest destiny, by harmony of feeling among themselves, of giving unity of design and vigor of action to the administration of general Jackson. In the same light I am sure, did he consider us. In the singleness of his heart and the ardour of his patriotism, he suspected not that there was amongst us, any other object, than by our cordial support, to enable him in the cabinet, as he had done in the field, "to fill the measure of his country's glory." Far otherwise were the feelings and purposes of Messrs. Ingham, Branch and Berrien, as in the course of this exposition, will, I believe, satisfactorily and fully appear.

Mr. Berrien in a late address to the public says:

"The announcement of the names of the intended cabinet seemed to me, however, to present an insuperable bar to my acceptance of the office which was tendered to me. I thought I foresaw clearly the evils which have too obviously resulted from the selection. A gentleman 'high in the confidence of the president'—whom he consulted, 'expressed his decided conviction, founded on a long and intimate knowledge of the president's character, that he would himself speedily see, and correct the evil.' I yielded to those suggestions, and took my seat in the cabinet."

A writer in the *Telegraph*, of the 14th July last, believed to be Mr. Berrien, speaking in behalf of Mr. Ingham, makes the following remarks:

"Pending the organization of the cabinet, the president was informed by several persons of high standing, and those his strong party supporters, that there were objections to major Eaton, which would lead to difficulties not likely to be removed." "It was not necessary for Mr. Ingham to take any part in the affair. Every one knew that public sentiment would, in due time concentrate on what was amiss, and correct it."

In the *Telegraph* of the 29th July, probably by the same writer, it is asked:

"By whose advice was it, that Judge McLean was arranged to the war department, before the cabinet was announced, in order to remove the 'malign influence,' which even then threatened the dissolution of the party. It was by the personal, political and long tried friends of the president, that this advice was given; and it was by the same advice that these gentlemen retained their seats in the cabinet in the confident hope that the president would sooner or later see his error and correct it."

These extracts carry on their face evidence of a common origin. If not penned by the same hand, they must have sprung from the same councils—were all written with the same views and the same object, and disclose with sufficient clearness to whom I am indebted for the long covert, and at last, open attacks upon me and my household, as well as their purpose. Certain gentlemen who styled themselves the "personal, political and long tried friends of the president," undertook, it seems, without his knowledge or consent, to arrange and fix his cabinet. I, who had been his particular friend and associate for twenty years; who had adhered to him "through good report and through evil report," during two bitter contests for the presidency, and who, against my wishes, was selected as a member of his cabinet, was to be set aside as unworthy, in the estimation of these gentlemen, to associate with him, or to participate in his councils. This secret cabal of exclusive friends advised Mr. Berrien to accept a seat in the cabinet, under the secret expectation that I would be driven from it. By the same persons, Judge McLean was arranged to the war department, their object being expressly to get rid of me. They advised Messrs. Ingham, Branch and Berrien, to cleave fast to their hold, which they did, even under alleged "indignity and insult" too, in the "confident hope that the president would speedily see and correct the evil." Without the president's knowledge, and without mine, this cabal of "personal, political and long tried friends," were thus endeavoring to control all the cabinet arrangements, and secretly to place around the president men of their selection and stamp. It was not for him to select his own counsellors, or decide who were his "personal, political and long tried friends"—men who had supported him only when they had lost all hope of Mr. Calhoun—who had joined his standard only when their favorite candidate had disappeared from the contest, and who had supported him as a secondary choice—your Inghams, Berriens, and others, were now arrogating to become his exclusive counsellors, and to thrust from his presence as unworthy of his trust and confidence, those who had supported him for his own sake—whose attachment was cemented by years of confidential intercourse—whose faith and energies were pledged to his support, and whose hopes were all concentrated in the success and prosperity of his administration.

Mr. Branch was made the instrument of abler heads, and attempted to become a manager in this business. In his recent letter, he mentions a call which he made on the president previous to my nomination to the senate, at which he arrogantly represented that my selection would be improper and unfortunate, and gave his reasons, which appeared to have related solely to my family. He also states he then came to advise me against accepting a place in the cabinet, admitting that the charges made against my family were false, but representing "what use the opposition would make of it," and that "the enemies of the president would not fail to make a handle of it." He says that he placed Mrs. Jackson and Mrs. Eaton on the same footing, and desired to save the president "from recollections which would

be painful and distressing." Mr. Branch has a treacherous recollection. He kept no note book, or, like his co-partner, Mr. Latham, he has accommodated his notes to emergencies. I can put him right in this affair, not doubting his admission of the truth of the narration I offer, if honor be left him, although he may deny the motive which I feel persuaded influenced him at the time.

Failing in the attempt to prevent my appointment, and to dissuade or rather to deter me from accepting, Mr. Branch was next made the instrument of a piece of secret management, having in view the same result.

It was suggested to the president after the first arrangement of the cabinet was made, that Mr. McLean entertained objections against remaining in the post office department. It was known that the president was disposed to gratify him, by placing him in another department, if he could do so with a proper regard to others previously selected. This it seems, taken in connexion with my known repugnance, under any circumstances, to undertake the labors of that department, furnished a hint to those who wished my exclusion from the cabinet of which they hastened to avail themselves. Mr. Branch declared that the president *might place him where he pleased; he should be satisfied*; and proposed to me, that we should, if the president approved it, assent to the placing of Mr. McLean in either of the departments assigned to us, as he might choose, to which I assented. The war, navy and post office departments, were then considered open to re-assignment, according to the will of the president. The result was, Mr. McLean was arranged to the war department, Mr. Branch to the post office, and myself to the navy department. This did not meet the object. Mr. Branch made unexpected difficulties, and at the desire of those who proposed the change, the original arrangement was restored.

I suspected no other than a fair and honest motive in all this; but we are now informed, through the exposures recently made in the Telegraph, that all Mr. Branch's movements originated in the "advice" of certain "personal, political and long tried friends of the president," given with a view, as is now expressly stated, "to remove" me from the cabinet.

At length the cabinet was formed. Mr. Berrien expressly says, that he entered it, only because he expected "the president himself would speedily see and correct the evil" of my appointment; and that he clearly "foresaw the evils which have resulted from the selection." His declaration is no doubt true. No prophets foresee future events, so precisely and so certainly, as those having the means in their own control, are determined to bring them to pass. Foreseeing the evils, he must have foreseen the means through which their correction was to be brought about. He must have foreseen, that he and his associate friends intended to use his influence and consequence which office gave, to accomplish their expectations—the persecution of my family—the attempt to degrade me, and all the arts which subsequently have been employed to procure my removal.

How could so much be foreseen, if it had not been predetermined? No prophecy could have been so confidently relied on, if it had not then been resolved, by a cabal of the president's pretended "friends," with a view to concentrate public opinion, that I and my family should be proscribed from intercourse, with that portion of society over which they and their families had, or could have influence. Not a doubt is left on my mind, that before the nomination of the cabinet to the senate, the means of operating on public opinion, and forcing the president to exclude me, were devised, arranged and fixed upon, by and with the knowledge and approbation of Messrs. Latham and Berrien, if not of Mr. Branch; and the

means to be employed under their boasted sense of honor—an honor which in their bosoms inspired an earnest desire to transmit to their children, "an unsullied, good name" were the abuse and slander of a mother, with two innocent daughters, whose good name was blended with hers, and in attacks upon my integrity and honor. Did they reason themselves into the belief, that the inheritance of a parent's good name, was of no value, only as it regarded their children; and that whether others lived or perished, was not material, if they and theirs were safe.

Did I merit such course of treatment from Mr. Berrien? We had served together for several years in the senate of the United States. He was invited to, and was present at my marriage, six or eight weeks before. We were in habits of daily friendly intercourse; on my part, free and unrestrained, and, as I supposed, equally so on his. He professed to be my friend, and such I thought him. Was it honorable, then, and was it just, to hide from me all the "evils" which he "foresaw," and suffer me to run blindly upon inextricable difficulties? Should he not have warned me, that not "the opposition"—not "the enemies of the president" merely, as Mr. Branch states, but his friends—"his personal, political, and long tried friends"—aye, even those whom he had selected as members of his cabinet, viewed my selection as an evil, and intended to use it to distract his councils, embarrass his administration, and provide for a successor? Had Mr. Berrien frankly informed me, that he and his associates considered my appointment "an insuperable bar" to their acceptance, an issue would at once have been tendered. I should have desired the president to excuse me, and given my reasons and then, for the sake of harmony, he would have discharged either me or them. But all was concealed from me, and only against the probable course of the opposition,—the enemies of the president, was I advised and warned. I was not taught to expect, that in Latham, Branch and Berrien, I should find these very enemies, who were smiling upon him, and me, with unequalled professions of devotion and friendship. Against their assaults, it was hence impossible to guard. Again, I ask, was it just or honorable in Mr. Berrien, entertaining the views which he has recently avowed, to conceal them from me, and thus lead me blindly forward, upon a mine which he knew was prepared for my destruction?

However he may excuse himself for his practised concealment towards me, yet was he bound in duty to the president and to the country to communicate his views frankly and fully to him. He knew the importance, nay absolute necessity, of entire harmony in the cabinet, and that the views of the president, in relation to the reformation of the government, and home interests of the country, could not be accomplished without it. Mr. Berrien knew, that the president had a right to expect unity of feeling and action amongst those whom he had selected as his counsellors; and that in justice to himself, and to the people who had elected him, he would not knowingly constitute a cabinet of discordant materials. Yet "clearly foreseeing all the evils which have resulted," he concealed his feelings and his views, and suffered a cabinet to be formed, between whose friendly association and cordial co-operation, there was an "insuperable bar," which he clearly saw; but which the president did not. By this concealment, and want of candor, he suffered his friend and benefactor to be led into error, in the very first step of his administration, and which, in common with other enemies, he is, now attempting to wield to his destruction. On whom ought the responsibility of organizing such a cabinet to rest? On the *confiding* friend who, judging of men by their professions, selected those as its members whom he believed to be friendly to each

other, and devoted to the success of his administration; or to those deceitful individuals, who, foreseeing all the evils which have resulted, kept them concealed from the president, and entered his cabinet only because they expected such discord and division to arise that "public sentiment would concentrate" upon one of their colleagues and force his removal?

The question so gravely raised and discussed in the public newspapers about visiting—leaving a card, and invitations to "large parties" or small ones, in this city, cannot but appear matters of derision to the American people. Who calls upon his neighbor, or invites him to eat and drink with him, and who does not, is a matter of no concern to the people; and to them it must appear ridiculous, that statesmen and cabinet counsellors, have thought it necessary to disturb them with matters so trifling. But even these have been rendered of some importance, as developing the motives of men, and accounting for events of higher importance. And in this view is it, that I am about to introduce such a topic, and beg to be pardoned for doing so.

After my marriage in January 1829, my wife and myself visited Philadelphia, and were absent from Washington two weeks. Amongst those who had called in our absence to visit and pay us the customary congratulations, were Mr. and Mrs. Calhoun—their cards had been left. In cities, leaving at a neighbor's house, a card—a small piece of pasteboard with the name upon it, is called a visit. Not long afterwards, we called at Mr. Calhoun's lodging to return the civility. After sending in our names, we were invited up to the vice president's parlor, where Mrs. Calhoun was alone, and received us with much politeness. We spent a short time, quite agreeably, and took our leave. Afterwards, these calls were not repeated on either side. This was a short time before it was understood who would compose the cabinet of general Jackson.

Another trifling incident is worthy of note. When it was ascertained certainly that I would be secretary of war, Mr. Calhoun requested the appointment of one of his friends as my chief clerk. To another gentleman who made the same request, I made a promise to comply with Mr. Calhoun's wishes. Considerations not thought of at the time, induced me to change my determination; in consequence of which, I declined to make the appointment, and sent an explanation to the gentleman, to whom I had given the promise. None was offered to Mr. Calhoun, for none was asked, and to him no promise had been made. From that time he broke off all intercourse with me, official as well as private.

Soon after the cabinet was organized, indications of those secret views, which Mr. Berrien now openly avows, began to manifest themselves. The motive was not apparent, yet was it sufficiently evident, that there was a settled design to put a ban on my family, and render my position at Washington disagreeable to me. This was to be promoted by all the influence and importance which high station conferred on some of my colleagues. Confederacies were formed, and efforts made to awaken prejudicial. To give countenance to the confederates, and to aid their efforts, old slanders were revived, and new ones circulated. Families coming to the city, were beset on the way, and on their arrival. No means which ingenuity could invent, or malice make use of, were left untried to give tone to public sentiment—"to make it concentrate" and force the president to separate me from his councils. Hope gave the assurance that in a little while he would see public opinion concentrated and would "speedily correct the evil."

Let me not be misunderstood. I never complained of any one, for not associating with me or my family. It is the right of every man, and of every woman, to visit whom they please. To see my house

filled with unwilling or reluctant visitors, constrained to call by the command of power, could never be desired by me. Happily, I was never dependent on such authority for friends, associates and visitors. Always, when my doors were open, at "large parties," and at social calls, I met friends, with cordial hearts and happy faces, who evinced by their frank and open demeanor, that they came of their own volition, and not through hope of reward, or fear of punishment. It is true I did not meet some of my colleagues, or their families, nor some of their associates of the same political stamp: but I met ladies and gentlemen quite as respectable, and equally as agreeable. If, as is true, I and my family were not invited to the houses of Messrs. Ingham, Branch and Berrien, so neither were they invited to mine, and in this we were equal; and neither, as I conceive, had a right to complain.

Mr. Berrien's family never did refuse to visit with mine, for they never had the opportunity. Custom required, when they came to the city, being lest in their arrival, that we should first call on them, if we desired their acquaintance; but we never did call.

How ridiculous does this single fact render Mr. Berrien's publication, which he has set forth with such grave formality. He had ascertained the sense of society here, he says, and conformed to it in this matter, when in fact he never had an opportunity to conform to, or depart from it. He maintains that the president threatened to dismiss him, because he would not compel his family to visit where he did not choose they should, when in fact they never had an opportunity to visit there. Throughout, he presents me and my family as craving the society of his, which he haughtily refused, when, in fact the first, the natural and the usual advance, on our part, had never been made.

It will be seen, then, that had the president set out to regulate the intercourse of society, and to direct its social relations, he ought to have begun with me, not Mr. Berrien. He must have threatened to dismiss me, if I did not compel my family first to call on his and leave a card. What! force Mr. Berrien, under such circumstances, to force his family upon us! The president certainly ought first to have forced us to give them an opportunity to decline our acquaintance. To force together unwilling people, and particularly to begin with the wrong persons, would indeed appear an odd and strange procedure.

In the autumn of 1829, new attacks began to be made, in whispers, on my integrity. It was said I had conspired with my wife's first husband, Mr. Timberlake, to defraud the government of large sums of money. Other attempts to get rid of me, having failed, I was now to be presented as being in default to the government, through fraud practised on it. Mr. Timberlake had been a purser in the navy, and this charge was based upon a reported deficiency in his accounts with the public; and on a private letter of mine, detained in the 4th auditor's office, showing that on my suggestion, he had remitted money to me. Copies of my private confidential letters to him, had been taken from the office, that I might not escape through apprehended indulgence and favor, on the part of Mr. Kendall. Matters were considered well arranged, and the proof complete to show, that this delinquency was wholly occasioned by remittances of money to me, and which was yet in my possession. Such were the whispers circulated through the society of this place. But a close investigation, which occupied some time, showed that Mr. Timberlake's account had been deprived, through a series of shocking frauds, of credits to the amount of from 12 to \$20,000, and that justly he was largely a creditor, not a debtor, to the government. But with mutilated books—abstracts of accounts missing, and the inventory gone from the department, his fa-

mily can only appeal, under all the circumstances, to the justice and honor of the country, for redress. While slander held its open day, and midnight round of whisper on this subject, I received from some malignant being, who subscribed himself Iago, the following note:

"Sir—I have written a letter to Mr. Kendall about the money that paid for O'Neal's houses. You know what I mean. Revenge is sweet, and I have you in my power, and I will roast you, and boil you, and bake you; and I hope you may long live to prolong my pleasure. Lay not the flattering unction to your soul, that you can escape me. I would not that death, or any evil thing, should take you from my grasp for half the world."

Who the writer of this fiendish note is, I have never ascertained. I cannot turn my thoughts on an enemy so implacable, that he would be unwilling the man he hated should find repose in death. Yet it is in character with the acts of those whose forecast pointed to the means, by which the evil of my selection, as a member of the cabinet, was to be made apparent, and the president forced "speedily to see and correct the evil." If I could have been driven from all respectable society, or had fixed upon me collusion and fraud, in obtaining the funds of the government, then would the cabinet have been relieved of my presence, and the prophecy of Mr. Berrien completely fulfilled.

Congress had now commenced its first session after the inauguration of the president. The recommendations in his message had been received with uncommon applause. But it was soon perceived, that little, in furtherance of his views, was to be expected from some of the political gentlemen who were professing regard to the administration. Movements amongst some of my colleagues, with others in the same political interest, indicated a disposition again to wage against me, a war of exclusion. Rumors of a combination to force me from the cabinet, attracted the president's attention. He suspected that a portion of his cabinet had entered it, in disguise, and had fomented some of the mischief he had encountered; and accordingly determined, if it should appear that they were guilty of such duplicity, and had combined to harass and drive out one of their colleagues, they should share the fate they were preparing for another. While reflecting on the course proper to be adopted, col. Richard M. Johnson called on a visit; and to him he disclosed his difficulties and intentions. Colonel Johnson entertained a better opinion of these gentlemen than to believe they harbored hostile views towards me, or had entered into a combination to expel me from the cabinet. Accordingly he solicited the consent of the president to converse with them as a friend, that by ascertaining the suspicions entertained to be incorrect, he might relieve them from the imputation. He had no other authority or permission than this: the mission was of his own seeking; he was actuated solely by a desire to maintain harmony; and if he could, to be of service to these gentlemen. Whether he spoke upon politics—religion—philosophy—ladies' cards, invitations to large parties or small—social or political intercourse—all, all was upon his own responsibility and upon his own authority. Through him the president made no proposition, no requisition, and no threat. For myself I knew nothing of it.

It is a little remarkable, that neither of the three gentlemen, in their published statements, speak of any proposition as coming directly from the president, which was considered at all insulting or improper. Though they insist, that col. Johnson was authorized to threaten, and did threaten them; yet not one pretends, that directly the president insinuated any thing of the kind to either. "It is strange, passing strange," that col. Johnson, a man of known

integrity and honor, should deny this—strange, that when they met the president, he breathed to them nothing like it—and yet stranger still, that in defiance of these proofs, and these circumstances, they still insist, that they were insulted! Who now will wonder that the cabinet was changed, or who maintain that it ought to have been longer continued? No sooner had Mr. Branch stated, that col. Johnson had threatened their dismissal, than it was promptly denied by the president, who said he would forthwith send for col. Johnson; and for that purpose called a servant. Why did the messenger not go? Mr. Branch explains! "It is unnecessary to send for col. Johnson; for your word is sufficient." And why is that word now sufficient? Then, Mr. Branch received it as true—told it, no doubt, to his colleagues—and yet do they come before the public boldly to assert as true, what then was given up as a mistake—an entire misconception on their part. Content with the explanation offered at the time, convinced of the incorrectness of their impressions these gentlemen now assert their displeasure and discontent, and at the end of fifteen months, come out and maintain that to be true, which before had been given up as a false and incorrect impression. As for myself, I can say, and do truly say, that I never uttered, or brought to the consideration of the president, any complaint in reference to myself. I was always content to keep the redress of my own wrongs and injuries in my own hands, and to ask the aid and assistance of no one, in or out of power. No intimation was ever had by me that col. Johnson intended to make such inquiry, nor did I know that he had made it. The lofty sense of honor entertained by general Jackson would never permit him to compromise the honor of his friends. He has not compromised mine; and yet he would have done it, had he used his authority to extort courtesy in my behalf from Messrs. Ingham, Branch and Berrien. But why reason about it? If the disavowal of the president, established even by his accusers, who so lately were his professing friends—if to confront Mr. Branch with colonel Johnson, and which alone was prevented by a declaration that he (Mr. Branch) was entirely satisfied—if the assertion of colonel Johnson, that he had no authority to communicate any such thing—did not communicate it, and so informed the parties at the time—if all this be not sufficient to prove the falsity of the statements which these gentlemen, in their malignity, have so recklessly hazarded before the public, then would it not be believed, "though one arose from the dead."

By their conduct at the time, my colleagues manifested that nothing had been required of them, which, as is now asserted, they considered dishonorable. If they had believed so—if, after conversing with the president, they thought he had exacted of them that to which, as honorable men, they could not conform, they should have immediately tendered their resignations. To suppose they could do otherwise, is to presume that for the sake of office they were willing tamely to submit to the "indignity and outrage" of which they now complain. Though the concealments by which they imposed themselves on the president, their conduct towards me, and especially Mr. Ingham's note book, in which, being a confidential adviser and in one sense a part of his family, he noted down, if he is to be believed, the free, the private and familiar conversations of the president for future use, presents spectacles of human degradation at which honorable minds would revolt; yet, I cannot suppose that they would remain in the cabinet, under a consciousness that hourly they might be exposed to the same indignity, involving their personal honor, and the honor of their families. It is utterly impossible that gentlemen now apparently so sensitive, could have submitted themselves to such a state of things,

without complaint, for fifteen months. By their remaining in the cabinet so long after the "indignity and outrage" of which they now complain, I must conclude that the president had not insulted them by any dishonorable and improper requisition, or else that they loved their offices better than their honor, and that their present violence is caused only by the loss of them.

But in relation to Mr. Branch, I have something even better than Mr. Ingham's note book, to prove what actually were his feelings towards the president at and about the very time when this pretended indignity of col. Johnson was offered. It is a letter* addressed by Mr. Branch to the president, in his own hand writing, on the 29th January, 1830, and which on the same day was inclosed to me, in the hope that a reconciliation might take place between us. Agreeably to Mr. Ingham's note book, it was "on Wednesday the 27th day of January, 1830," that this alleged "indignity and outrage" was offered. Of course this letter was written but two days after, and on the identical day when Mr. Branch, feeling himself deeply afflicted at the communication made to him by colonel Johnson, called, as he states, to see the president; and when, as he says, "the president's feelings were too much enlisted to weigh any reasons which might be offered." And were Mr. Branch's feelings too much enlisted "to weigh any reasons?" Was he, as we are told was the case with all three of the gentlemen, indignant at the outrage? Let the letter speak for itself, and show how deeply, and how like an insulted and wounded man he could write at this instant of excitement, when honor and feeling, through the instrumentality of col. Johnson, had been rudely trodden under foot.

"Navy department, January 29, 1830.

"Dear sir—I have received your note of yesterday's date, and do most cheerfully accept your friendly mediation; more, however, from a desire to give you an additional evidence of the friendly feelings which have actuated my bosom towards yourself, than from a consciousness of having given to major Eaton just cause for the withdrawal of his friendship. As a further manifestation of the frankness which I trust will ever characterise my conduct, I agree to meet him this day at two o'clock, in the presence of major Barry, at Mr. Van Buren's, and in his presence also.

"Yours, truly, JOHN BRANCH.

"To the president of the United States."

This letter written directly after the indignity complained of was offered, bears no impress of insulted feeling; on the contrary, it breathes a spirit of kindness and friendship towards the president, whom he recognizes as a "mediator," seeking with almost parental solicitude, to heal the division amongst the members of the cabinet, and anxious for the restoration of harmony. Surely in writing that letter, which he by signing himself, "yours truly," he could not have supposed, that the president had just offered him an indignity; or if so, it only proves how great a hypocrite he is. At that time, we did not speak. As much parade as he makes of his friendly feelings entertained towards me, he was the very reverse of all that the name of friend conveys; and knowing it as I did, I would not permit him to seem to be what he was not. I had refused to return his salutations, and declined all intercourse, except when we met at the president's. I never complained of Mr. Branch, as he asserts in his letter to the public. It was he who complained, if at all complaint were made. His letter to the president, thanks him for his offer to act as a mediator in our difference, speaks of his good

feeling towards me, and willingness to meet me at two o'clock that day. I have no doubt it was his professions of friendship and kindness towards me, made to the president, which induced him to become Mr. Branch's mediator in this business. On receiving the letter, he inclosed it to me, and expressed a wish that good feelings could be restored between us. An interview took place, at the room of the attorney general, at which major Barry and Mr. Berrien were present.

It was here that Mr. Branch, in the presence of these gentlemen, expressed friendship for me, and in the strongest terms declared, that he did not entertain an unkind feeling towards me, and wished he had a glass in his bosom through which his every thought could be read. He spoke of the non-intercourse between our families, and said that he had not the slightest objection to a free association; but that he could not control his. I promptly answered, that I did not desire his or any other family to visit mine, except with their own free consent; and that it was my desire our families should, in that respect, pursue such course as they thought fit and proper. We shook hands and parted as friends. Mr. Berrien affected much satisfaction at this reconciliation, and pretended to hail it as the harbinger of future harmony and good will. I say pretended, because, under all the circumstances of recent disclosure, he felt not what he said he did. It was only adding another and another fold, to that cloak of hypocrisy in which he had wrapped himself, from the first formation of the cabinet.

Such were the incidents of Friday the 29th of Jan. 1830, the moment when, as their communications to the public disclose, they were writhing under a sense of deep and lasting "indignity and outrage," at the threats of col. Johnson, borne to them from the president. Where then was the lofty dignity of Mr. Berrien and Mr. Branch, that the one could declare how pleased he was at the reconciliation made, and the other protest the good feelings which he entertained for me?

Let us see how the facts stand, if these men speak truth. On Wednesday, the 27th of January, 1830, the president, through col. Johnson, threatened to dismiss them, if they did not compel their families to associate with mine, which they considered such an "indignity and outrage," that they seriously thought of resigning. On Thursday, the 28th, the "indignity and outrage" being unatoned and even unexplained, the president wrote a note to Mr. Branch, offering his "friendly mediation," to bring about—what? Not social intercourse between our families—but a restoration of friendly intercourse between ourselves. In the morning of Friday, the 29th, (for he says he will meet me at two o'clock), he accepted the friendly offer, thus acknowledging that he considered the president an impartial umpire, an unprejudiced, unexcited and just man, in whose hands he could trust his character and his honor; and yet strange to tell, on the same day, having called on the president for some explanation about col. Johnson's insulting message, he found "the president's feelings were too much enlisted to weigh any reasons which might be offered!" Who can believe all this? "Most cheerfully," says he, I "accept your friendly mediation." What! Accept the mediation of a man, who two days before, had required him to humble himself to me like the meanest slave, and had not atoned for it? Accept the mediation of a man whose feelings were so much enlisted in my favor, that he would not listen to reason? Impossible! Had Mr. Branch felt that an indignity had been offered him, he would have replied to the president: "Sir your insulting message through col. Johnson, must be first explained, before I can avail myself of 'your friendly mediation.'" By his whole conduct, he showed that he entertained no such feel-

*I accidentally found this letter, a few days since, amongst some old papers, not intentionally preserved, for until now I never conceived it to be of any consequence.

ing, and that the whole story about "indignity and outrage," is a sheer invention, got up now to injure the president.

This letter of Mr. Branch shows, that in addition to col. Johnson's *friendly mediation*, the president was willing to exert his own as a *friend*, to heal the breach, in anticipation of the meeting to which he invited the secretaries, on Friday the 29th, to declare the basis on which he had resolved to fix the harmony of his cabinet. Mr. Branch and myself, the principal difficulty having arisen between us, met, as has been stated, at Mr. Berrien's, and adjusted our relations amicably; and yet this reconciliation, produced, as is seen from Mr. Branch's note, by the kind and friendly interposition of the president, is represented to have been *immediately preceded* by "indignity and outrage," and to have been *succeeded* by a state of feeling too much excited "to weigh any reasons which might be offered."!!!! How thoroughly is all this contradicted by Mr. Branch's contemporaneous note.

Private difficulties were now at an end, and, as was well understood, families were to visit or not, according to their inclinations. In two days the "indignity and outrage" which had been offered to these gentlemen was forgotten, so much so that for fifteen months matters glided on in tolerable harmony. Nothing more was said or heard of this subject, until the president, as he had an unquestioned right to do, thought proper to request their resignations. Then were old notes and memoranda burnished up, and that over which they had slept so long, immediately became a subject of deep and "awakening interest to the American people." The truth is, this *farce*, which is now brought out on the public stage, was designed for a different occasion. It was in January or February, 1830, that they expected to exhibit before the public, and to unfold the tale of threats from the president, dismissal, and family association, and all that. Not being dismissed, then, as they expected, they laid aside their prepared tale; but having at length lost their offices, they bring it forth upon an occasion which it does not fit, and vainly attempt to attribute the dissolution of the cabinet to a false ground. That event they knew sprung from an entirely different cause—a cause which will satisfy every impartial man when he comes to understand it. To account for their removal, they offer any but the true reason, and hence run into all sorts of absurdity.

Shortly after this, about the 20th of March, a preparatory meeting of a few members of congress was held, with a view to request the president to remove me from the cabinet. Being apprised of their design, he made a remark which satisfied the leaders in this movement, that to persist in their course would serve to expose them to public reprobation, and result in fruitless endeavor. Accordingly, the project was abandoned, or at least suspended.

I do not impute to all who participated in this preliminary step, a design to unite ultimately in a measure of such high dictation to the president. Some were at first misled by false representations, and induced to believe that his peace and comfort, as well as the success of his administration, depended upon it; others attended the meeting to point out the impropriety of the course, and to dissuade their friends from persisting in their design.

Now, what was the motive for all this relentless persecution? Could it be that my wife was indeed the cause? Was it merely to exclude a female from their "good society"? Was one woman so dangerous to public morals, and so formidable in influence and power, as to require all this strong array of cabinet counselors—combination of members of congress—confederacy of fashionable ladies? Was it for that, attacks were made upon the integrity of her husband; and honor, truth and candor sacrificed? The idea is

truly ridiculous! She was lone and powerless. Those who liked her society, sought it; and those who did not, kept away. Neither she nor her husband, entered into cabals and intrigues, to the prejudice and injury of others. Their own multiplied wrongs, they bore with as much patience as could be expected, from mortals endowed with human passions and sensibilities. A common understanding prevailed, express in relation to one family, and which was also understood in relation to others, that each should seek their own associates, according to their own will, uninfluenced and unrestrained. The *motive*, therefore, was not to exclude us from society. It is a matter altogether *too small* to account for the acts and the untiring zeal of so many great men.

Was the motive merely to exclude me from the cabinet? Was my presence there, dangerous to the interest of the country, or to its institutions? Had I the power or disposition to injure the one, or overthrow the other? Was it pretended that I wanted the ability, intelligence or integrity, necessary to the management of the department of war? Of its management, there has been no complaint, while it was in my hands! I left it at least as prosperous as I found it! Was it suspected that I was not true to the president, and would prove false and faithless to his administration? A confidential intercourse of more than fifteen years, the highest admiration of his character, and the deep personal interest felt in the success of his administration, were surely sufficient to guard me against that. Nothing of this sort entered into the minds of my traducers. They had no desire for my exclusion on account of any suspicions entertained, that I would willingly do injury to the interests of the country, its institutions, or to the president! To what then shall we look for this *motive*? An ardent friend to the vice president, in 1829, in one short sentence disclosed it:

"Major Eaton is not the friend of Mr. Calhoun,"

It was this which rendered me unfit for the cabinet, and for the respectable society of Messrs. Ingham, Branch, and Berrien. I could not, perhaps, be used to promote the views of Mr. Calhoun, and might exert an influence to induce general Jackson to stand a second election. It was not thought that in my hands the influence and patronage of the war department, could be used in favor of a successor. In that they did me justice. It was not so used, nor ever would have been. It was a subject about which I spoke not, and felt not. Not even was I solicitous for general Jackson again to be selected, except on the ground that his principles and the course of his administration, when fairly tested, should be found in accord with the general sense of the people and the country. At a proper time they would determine this matter, and there I was willing to rest it, undisturbed by any private or official interference of mine.

But "Major Eaton was not the friend of Mr. Calhoun," and this was a sufficient reason, why he should not be permitted to enter the cabinet, if to be prevented; or for forcing him out when there. The ineffectual attempts to exclude me, have already been alluded to. It has been shown that Berrien and Ingham, concealing deep in their own bosoms their feelings, entered the cabinet, under a full conviction that I presently would be excluded—that Mr. Calhoun's family and mine, before my appointment, interchanged civilities, and that he sought of me the appointment of a friend as chief clerk—and that thereafter all private and official intercourse between us, ceased. Let it be borne in mind, that the principals—those who have been actively employed against me, are the friends of Mr. Calhoun—his devoted, active partizans. It is readily to be inferred, then, that this "high wrought tempest," has proceeded from political designs, connected with the

future hopes and expectations of Mr. Calhoun; and this inference I have it in my power to confirm, by the most unquestionable facts.

Duff Green, editor of the United States Telegraph, has been from the first the instrument of Mr. Calhoun, by whose movements he has sought to bring his plans into operation. To him the feelings and plans of his party have been known. He has been their chief manager; first their private, and now their public organ. Him they chose to carry on their private correspondence—him they selected to make their *debut* against me, they standing behind the scene with their notes, memoranda, and concerted statements, to back and sustain him. As he is their witness and their friend, their agent and associate, they will not impeach the testimony borne by *his acts*. His word would not be introduced by me as evidence against any whom he was desirous to injure. Before I knew him, I rendered substantial services to this man; but his ingratitude is a warning to the friends who now confide in him, of what they may expect if interest or policy shall hereafter make it necessary. Before he left Missouri, he was poor and penniless, too much so, as he informed me and others, to be able to remove his wife and children to this place, where he had then lately established a press. Upon his application to me, and stating his necessities, I borrowed for him fourteen hundred dollars; part of which he repaid in about fifteen months, and the balance only recently, when he found the sense of the community shocked by the baseness of employing the means furnished by my unreturned advances to destroy my reputation.

In difficulty here, and pressed for money, he again in 1826 applied to me, when through a friend of mine in Baltimore, I obtained for him \$2,500. For the very press from which, probably, he daily circulates his abuse of me, I have a note which was protested and paid by me, on which I was not an endorser, and which has been in my possession several years, the whole, or a part of which still remains unpaid. To my exertions and zeal in his behalf, as most of the senate of the United States can testify, is he indebted for his first success as public printer, the annual receipts of which appointment at this time are not less than from thirty to fifty thousand dollars. These things might have been omitted, for charity and friendship are secret in their operation, and should not be proclaimed to the world; but surely I may be permitted to mention them, not in the spirit of an ostentatious liberality, but that the public may be able to appreciate the characters of my persecutors.

In 1829-'30, Mr. Green was a frequent visitor at my house to "large parties," and to small, with his wife and daughters, and invited my wife and myself to his. He, on several occasions, tendered his services and his paper in vindication of us, against the slanders and abuse which at that time were whispered about; and as it regards one of his compurgators, on whom now he would rely as a good and sufficient witness, but in whom then, he had no confidence, he placed in my hand a statement of *his own brother*, tending to impeach him. What now, has brought them so closely together, I know not. I only know that he hates me beyond even the power to extend common justice; and wherefore is it so? Because bad men are apt to dislike those from whom they have received favors. But that he should descend so far as to become the traducer of a female, because she is the wife of one to whom he is under obligations, never to be repaid, is indeed strange! Mark his present course! His obligations of friendship certainly are not cancelled; at least to the extent that gratitude should be concerned. Without provocation on my part, and without change in the character and deportment of myself and family, he is daily dragging before the world those, into whose society

he introduced his wife and daughters, and whom voluntarily he proffered to defend! He does not pretend that now, he knows more, than when, with and without his family, he called—talked—smiled, and treated us as friends, wronged and persecuted. Was he sincere then, or now? If then sincere, how unutterable must be his depravity, in becoming the very leader of the band of traducers, who at present occupy the public attention! He then performed the duty of a friend, and acted up to the principles of an honest man; but yielding to the political intrigues of his great leader, he has sacrificed justice and decency, his own reputation, and the feelings of his family, to subserve the cause of *that friend*, who never was his friend. This man is a fit associate of Messrs. Ingham, Branch and Berrien. He has united with them on a nefarious purpose, in the accomplishment of which, all that is "holy in charity," exalted in honor, and sacred in truth, have been rudely outraged and trodden under foot. What object has he to attain? What purpose to answer? Surely, he cannot think that in the choice of a chief magistrate of this country, the American people are so debased, that female character and feeling, are to be made the test of elections.

This man, to different persons and in various directions, early disclose the designs which actuated him, and others who were associated with him in feeling and interest in their conduct towards me. I have a statement from S. P. Webster of this city, detailing the substance of Mr. Green's remarks to him in the fall of 1829; at the very time when he was professing before me high consideration and great respect and regard.

Mr. Webster, in presenting the remarks made to him in November, 1829, says—repeating Mr. Green's language:

"That major Eaton, remaining in the cabinet, was of great injury to the party—that he was used by the secretary of state to forward his interested views; and if he remained in the cabinet, the secretary of state, who held complete influence over him, would be able to manage the president as he pleased, and direct the acts of the government to promote his, (Van Buren's), future prospects. That major Eaton ought to be sent minister to Russia, or at any rate, should not remain in the cabinet; and that if some decisive step were not taken soon, he did not know what might be the consequence. And further, that the president ought not to be run a second time. That Mr. Van Buren was using all his influence to prevail on him to run again, and in that event, would have obtained such an influence over him and his friends, as to be able to command their influence at a subsequent election—that gen. Jackson ought to go home."

I have a statement of another and similar conversation, held by Mr. Green, in December 1829, with Gideon Welles, editor of the Hartford Times—He says:

"On the subject of the next presidential election, Mr. Green adverted to the embarrassed situation of Mr. Calhoun at the expiration of his present term, when he would have served eight years, equal to that of any of his predecessors; and that Mr. Van Buren, taking advantage of his situation wished to ruin him by driving him into retirement. It was the policy of Mr. Van Buren, he said, to persuade gen. Jackson to consent to a re-election, because that would lead to the postponement of Mr. Calhoun's claims, and occasion him in a great degree to be forgotten. It would put Mr. Van Buren in advance of him, and this was the reason he was desirous that gen. Jackson should consent to a re-election."

Again he remarks to Mr. Welles, on this subject, about which it seems, he felt such deep interest and concern:

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 4—Vol. V.

BALTIMORE, SEPT. 24, 1831.

[Vol. XLI. Whole No. 1,044]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The title page and index for the last volume, accompanies the present sheet.

An extra half sheet, as supplementary to the last number, is herewith forwarded, that Mr. Eaton's reply to Messrs. Ingham, Branch and Berrien might be presented entire. In consequence, the editorial and miscellaneous matter has been thrown back to page 65.

[Mr. Eaton's reply continued.]

"That Mr. Calhoun had no influence with the president, and could have none, while major Eaton was there; nor could any of his friends receive appointments, so long as he was in the cabinet. He endeavored to excite my jealousy by representing, that Mr. Van Buren, through Eaton, was endeavoring to confer all appointments on the old Crawford party. It was indispensable, therefore, for the prosperity of the administration, and the harmony of its members, that major Eaton should leave the cabinet, and leave Washington. There was one way in which he could retire honorably and ~~without~~. If he would accept the mission to Russia, he would be making an honorable exchange for the war department; and all were willing that Mr. Branch should be dismissed, which would furnish Eaton a triumph."—[For the statements at large, see appendix A. and B.]

Thus through this chosen organ of Mr. Calhoun, we are possessed of the true motive which actuated my kind assailants. Their plan was that general Jackson should be president but for four years, and that Mr. Calhoun should succeed him. The Telegraph was considered by its editor so omnipotent, that its dictation was not to be, and could not be, resisted; and that it rested exclusively and alone with him to declare who should, and who should not "rule over us." Effect is often mistaken for cause, and in this case it seemed quite to be overlooked, that the former consequence of this journal, arose from the circumstance, that heretofore it went with the people—not the people with it. The moment, however, that Mr. Van Buren was appointed secretary of state, jealousy and fear arose, and then the desire was to place around the president as many of Mr. Calhoun's friends as possible, to counteract the apprehended and dreaded influence; a part of which I most gratuitously was supposed to be. Devoted, as I was said to be, to gen. Jackson, and the success of his administration, my appointment was calculated rather to thwart than to promote their ulterior designs. It was deemed necessary to prevent it; but if that could not be effected, then adequate means were to be resorted to, to get me out of the way. All this Mr. Ingham and Mr. Berrien foresaw. Two of my colleagues, if not the third, were in the secret, and used the influence and importance which office gave them and their families, to promote and further their grand design.

Months had rolled away, and as yet the president had never seen and corrected the evil as was expected. Mr. Van Buren, it was feared, had gained, and was gaining so fast upon my esteem, that serious apprehensions were entertained that I would fall within the vortex of his influence. In addition, it was imagined, or rather feared, that general Jackson might consent to a re-election, and reasons were discerned why Van Buren would desire it as a matter of interest to him, and how, through my influence, the matter might succeed, and the claims of Mr. Calhoun be deferred, his prospects injured, and he driven into retirement. Fear and apprehension, and an impatience of longer delay arose. "Some decisive step," says Mr. Green, "must be taken, or else I do not know what will be the consequence." This "malign influence," which was operated upon by the crafty subtlety of Mr. Van Buren, must be removed,

ed, or the effect will be to postpone Mr. Calhoun's claims, and drive him into retirement. It must be removed from the president, and to accomplish it, I was to retire, not only from the cabinet, but from Washington, that I might be as far distant as possible from the scene of their fruitless operations. The secretary of war was not qualified for the duties of the war department, yet he might be sent to represent his country at one of the most important courts of Europe. He and his family were not fit and good society for the families of such pure honorables as Ingham, Branch and Berrien, and yet they were to be considered quite "good society" enough for one of the first and most powerful monarchs of Europe.

But more! They were even willing to afford me a triumph. For the sake of getting me away from the president, they were ready and disposed, that Mr. Branch, one of the friends of whom they had made a dupe and instrument, might be dismissed. Amidst all this trade of abuse and insult, previously offered, merely to get rid of my supposed influence, they were yet willing to bestow on me office and emolument, to mount me on a triumphal car, and tie their friend, Mr. Branch, to its wheels. Now, can any man in his senses fail to wonder, that I should decline all these liberal offers, and finally retire from the cabinet for no better reason than is asserted by these gentlemen, that the families of Ingham, Branch and Berrien would not visit me and my family? Truly, they make me out a greater patriot than I am willing to be considered, while they afford to Mr. Branch no great cause for thanks given to them. Their proffer shows how little he knew of those persons, who, for all his zeal, and ardor, and malignity to serve them and their cause, were yet willing to sacrifice him to their ambition, and to their thirst for office. As a part of the consideration in getting rid of me, they were willing to dispose of him in any way, and at any sacrifice. Thus you perceive, my countrymen, the real objection to me, as a member of the cabinet, and why it was that Messrs. Ingham and Berrien entered it with concealed purposes, and with hypocritical professions. You can perceive the reasons why I and my family have been so relentlessly pursued by the friends of Mr. Calhoun; and you perceive the origin of the progressive and concerted attacks, first upon me, next upon Mr. Van Buren, and lastly, upon the president, that the one might be sent to Russia, the other to Albany, and the third to the solitude of the Hermitage. All has originated in the restless spirit of Mr. Calhoun and his partisans, and in a determination that general Jackson should be president but for four years, and that Mr. Calhoun must and should be his successor.

In the winter and spring of 1829-30, Mr. Green's paper gave confirmation of the feelings and plans developed in his conversations with Messrs. Webster and Welles. In December, the New York Enquirer intimated that the re-election of gen. Jackson was desirable, and ventured to suggest, that Mr. Van Buren might be a candidate, provided he declined. Mr. Green sharply rebuked the editor for meddling with the subject, and especially for introducing the name of the proposed successor. In March, 1830, Mr. Webb again introduced the subject, though in a different shape. He says: "We repeat, that general Jackson, and he only, will be the candidate of the republican party for the next presidency." In reply, the Telegraph again took exception; and although not so frank and full, as in the previous conversations had with Mr. Webster and Mr. Welles, yet the article dimly discloses the same designs. General Jackson must not again be a candidate, lest "his acts should be subjected to the imputation of selfish ends, and electioneering purposes." He might not think it his duty "to sacrifice his private comforts;" or, in the more, distinct language held to Mr. Webster, "he ought to go home"

to the Hermitage. There is in this article, nothing of Mr. Van Buren's designs and intrigues, or Mr. Calhoun's claims. These could be better managed, and to happier effect, through private arrangements, which were then in progress, though not completed. It was not yet time to appeal to the public for the correction of "evils," which the president could not be made to see; but that time was considered to be near at hand, and was evidently foreboded by the tone of the Telegraph.

Most of the president's nominations had been before the senate during the whole winter, and the public were at a loss to know why they were not disposed of. The friends of Mr. Calhoun were constantly pouring into the ears of those who were depending on the senate for confirmation, exaggerated accounts of his strength in that body; and the political preferences of those in nomination, were secretly and artfully sought after. They pretended to have polled both houses of congress, and to have ascertained that a majority in each, were his friends. Mr. Hill was rejected from the office of second comptroller of the treasury, and Mr. Green paid him a visit of condolence, during which he sought to persuade him, that he had been sacrificed to "the Eaton and Van Buren influence." Others were privately warned, that they were in danger from the same quarter. It certainly would have been a masterly stroke of policy, if Mr. Hill could have been sent to New-Hampshire, Mr. Kendall to Kentucky, Mr. Noah to New-York, and other former editors back to their homes, to resume their professional duties, impressed with the belief, that they had been made the victims, not of an *Ingham, Berven and Branch*, but of "the Eaton and Van Buren influence." It was a good idea, if it could have succeeded; but being rather far-fetched, it failed. Thus it is apparent, that it was not the secretary of war alone, that they desired to get rid of, but the secretary of state also. One of the members of congress, who attended the preparatory meeting about the 20th of March, for the purpose of regulating the president's cabinet, being enquired of, if any removal would satisfy them, answered emphatically: "No, we will be satisfied with nothing short of the removal of Van Buren."

But the removal of these two unrepresented secretaries at this meeting, was not the only subject probably discussed before it, and which failed of success. The premier, general Jackson himself, a more important personage than all, he too was to be disposed of; and the better to effect it, conversations were to be held with strangers visiting the city; and private letters were to be written, to prepare the minds of leading politicians at a distance, to support the decisive movement. It was not proper, nor the proper time, openly to take ground in the newspapers;—sapping and mining were preferable. An anti-Van Buren party was to be gotten up, and under that banner, without seeming to be in opposition to the president, it was thought the disaffected and dissatisfied of all parties could rally, until the scheme being fully matured, the mine was to be exploded, when Mr. Calhoun and the Telegraph were "to rule on the whirlwind and direct the storm." On the 19th of March, but a day before this preparatory meeting of members to reorganize the cabinet, at least in part, Mr. Green wrote a letter to Andrew Dunlap, United States district attorney, at Boston. In that letter he says:

"The political horizon is from day to day, more clearly indicating the point where storm clouds. The article from the Massachusetts Journal and the last letter to the United States Gazette, leave no doubt that Webster has resolved to push forward boldly, and on Clay alone. If Clay succeeds, Webster's fortune is made. If Clay fails, the lieutenant becomes the commander of the defeated force. He comes into the market at the head of an organized and powerful party, and associated as he intends to be, with New York [Mr. Van Buren] he will have a powerful influence at his command.

"Mr. — who was so much with Webb, gave me, as a piece of advice intended for my own benefit and guidance, the information that Mr. Webb had, while here, been advised not to attack Mr. Webster. Will it not be well to keep an eye on the Courier, and also on —? Clay and Webster rely on the bank of the United States and the federal party. — is their organ in —. Let them succeed, or let them make any

compromise, and the democracy of New England, and particularly of Massachusetts, are the victims which must be offered up to Webster's vengeance. Is this not obvious? Unless the divisions and disunion of our party can be healed, defeat is certain. **BOLD AND DECISIVE MEANS ENSURE US TRIUMPH.** There are some now in power, who seem to themselves to think lightly of the New England democracy. My own opinion is, that that democracy may yet hold the fate of the union in their hands."

Thus were the democracy of New England addressed. They were warned against the New York Enquirer, and notified of an ultimate collision, first with Mr. Clay and Mr. Webster, and if that failed, then with Mr. Van Buren. Webster would "come into the market" in great force, and sell out to Mr. Clay, if he could purchase, or to Mr. Van Buren if he could not. The jealousy of the New England democracy was thus to be aroused; and they excited to action by being told "they were to be offered up as the victims of vengeance;" and that "**bold and decisive means would ensure us triumph.**" This was it hoped for and expected, that the democracy of New England would be aroused, and prepared to support "**the bold and decisive means,**" then in contemplation, to expel "the Eaton and Van Buren influence" from the councils of the president,—prevent him from consenting to a re-election, and have every thing arranged, and prepared to destroy him if he did consent.

In a few days after, a letter was sent to Mr. M. M. Noah, of New-York. *See M. M. Noah's letter.*

"I have no doubt that the last article in the Courier, as well as that of the 12th, was prepared here, and are part of the intrigue intended to separate the president from his earliest and best friends.

"As to Mr. Calhoun, the object of the Courier is to drive me to the alternative of abandoning him or general Jackson. The sacrifice is too shallow for success. It will recoil upon its author. Those who desire to monopolize general Jackson's popularity for the use of Mr. Van Buren, are interested in circulating such a report, which Mr. Webb took with him from here; but the intelligent friends of the president, who associated with the vice-president, know it to be false."

The report here alluded to, and declared to be false, was that Mr. Calhoun intended to oppose the re-election of general Jackson. How false it was, the reader, under all the circumstances presented, is prepared to decide. But it was not wise policy, then, to permit such an impression to go abroad. At that time general Jackson was not a candidate for re-election, nor was it known that he would be. The true policy of the cabal was to maintain towards him the appearance of friendship, at least until that point should be settled. It was only the "malign influence" of those who might endeavor to persuade the president to consent to a re-election, and who sought to monopolize his popularity for the benefit of Mr. Van Buren, who rebid to thwart the plans and projects of Mr. Calhoun, that were to be assailed.

He also wrote on the 30th of March to Mr. Ritchie, editor of the Richmond Enquirer, and employs the following language:

"If there ever was a time which demanded that the friends of the constitution should be firm, wise, and united, the moment has arrived. The payment of the national debt will present a new crisis in the history of nations, and create the necessity of new legislation, based upon the state of our treasury, thereby produced. This question will then be directly presented to the American people—Will you increase the expenditure to meet the existing revenue, or will you diminish the revenue to the existing expenditure?"

"If gen. Jackson is now declared a candidate, I foresee that a new race for popularity commences. He occupies the position of *patronage*, and Mr. Clay that of the American System. Do not both these tend to the same termination? Can the administration contend with Mr. Clay and profess to be the friends of internal improvement and of the tariff, without throwing its influence in favor of the vast projects of public expenditure which it is the business of Mr. Clay and his friends to set on foot? Is it not the duty of all those who desire to bring back the constitution to its original purposes, to postpone the presidential election until the discussion upon the

great questions, connected with the approaching state of our finances, shall have brought them home to every man's door? Until the people shall know that Mr. Clay's project is to take ten millions annually out of the pockets of one portion of our citizens, for the purpose of *buying up* another."

Mr. Green well knowing Mr. Ritchie's devotion to principle, did not venture to approach him on any other ground than that of principle. Appealing then to his principles, he endeavored to alarm him with apprehensions, that the policy of general Jackson would be substantially the policy of Mr. Clay—that "patronage and the American System tended to the same termination." The object was a little more time for private action, and hence was Mr. Ritchie to be prevailed upon not to commit himself in favor of the re-election of the president, or at least to remain neutral in relation "to the bold and decisive means," which were then thought necessary to "insure us triumph."

"These evidences of political management, preparatory to some contemplated grand movement, all of which bear date about the time of the preliminary meeting of certain members of congress, to compel the cabinet to be re-organized, are from the *Telegraph*, and were voluntarily disclosed by the editor himself. I have another letter, which has not before appeared, written by Mr. Green at the same time, 25th of March. I am authorized to use it. The body of the letter, I am informed, is not in the hand writing of Mr. Green, although the signature is. It doubtless was a circular carefully prepared, and suggested, and forwarded in various directions, and to different persons.

"The intrigues of some individuals near the president are daily developing themselves, and must soon end in the disappointment of those concerned in them. The article in the *New York Courier*, stating the press [*The Telegraph*] and the article of the 23d, assuming the senate, have their origin in those intrigues, the object of which is to make the president and others believe that Mr. Calhoun is resolved to oppose them, and thus transfer the president's popularity to Mr. Van Buren. I shall wait a few days for further developments. In the mean time I shall take the liberty of asking you to suspend your opinion until you shall have seen the whole of the matter in issue, and then act on the side of patriotism. I have never deceived my friends. I have never sounded false alarms. I now say to you, that the remarks, so far as Mr. Calhoun is concerned, are false, and time will show the true object of his enemies. Mr. Calhoun is known to be the true friend of the president."

At this time, Mr. Calhoun was at Washington. Who can believe, that during all this while, of "measured step and slow," he was not counselled and advised with; and that this circular was written by his advice, or passed under his revision and inspection? It can hardly be believed, that without his approval, Mr. Green would take a course so important to his future political interests. It cannot be doubted, that these letters to Danlap, Noah, Ritchie, and especially this circular, were written by and with Mr. Calhoun's advice, or passed his revision. The object and purpose of the last, was to show, that Mr. Calhoun "is the true friend of the president," next, how management and intrigue were going on near the president; and lastly, that in a FEW DAYS a full exposure would be made.

Wherefore all this secret, private, political arrangement? Why all these conversations, this wide spread correspondence, these intrigues in congress, these preparatory movements "in open day and secret night?" Why this restless jealousy, and fearful foreboding of Mr. Van Buren—this fear that he would induce the president to consent to a re-election—this apprehension that I had lent myself and my influence, to bring about results, which were to thwart Mr. Calhoun, and postpone his claims? Why the attempt to alarm, and to arouse the democracy of New England? Wherefore disturb Mr. Noah's tranquillity, with fancied tales of plots and intrigues, and Mr. Ritchie with grave and oracular warning? Wherefore, in the circular of the 25th of March, in language so impressive and foreboding, and of such solemn and prophetic import, employed? What awful event or dread design was a "FEW DAYS" about to dis-

close, that friends, on the ground that they had NEVER BEEN DECEIVED, nor false alarms been sounded, should be implored to suspend their opinions? Was all this note of preparation—this bustle—this management—this toil by day, and profound meditation by night—these solemn warnings and doleful cautions, to be the mere announcement, that Mrs. L.—B.—H. and E. did not interchange views, or invade each other to LARGE PARTIES at Washington, and that the president, in martial pomp and spirit, had sent the gallant hero of the Thames, the harbinger of a dread threat, if it were not otherwise?

Oh, no! It was an such unimportant matter, which in a "FEW DAYS," with astounding effect, was to be brought before the American people. It was a general attack upon all who would not acknowledge Mr. Calhoun's legit. right of immediate succession; a plot was to be discovered, and then we were to have an expose of those intrigues near the president, which were to evince to the world that a transfer of his popularity to another was designed. Mr. Van Buren was to be stigmatized as the author; and I was to be marked as his humble instrument in the business. It was intended next to denounce all the president's personal friends, who were near him, as a "malign influence"—to represent him as the victim of their machinations, that one by one, they might be driven from him; or if he would not part with them, and should prove refractory, to open the phials of their wrath against him, until sickened and disgusted with the turmoil, he might retire to the solitude of the hermitage, and yield the strife of politics to the vice president and his rivals. All the vixenish carers that were ever painted and circulated in this city, were as nothing, compared to this grand—this important design, which was to be brought out subsequently as an afterpiece to the new plot that was built upon the letter of Mr. Crawford, and the published correspondence.

The question arises, why were not these plans carried out at the intended time? Why not executed? Why were these designs suspended, and all the labor of preparation brought to a pause? Passing events furnish the answer. On the 31st of March, the day after the letter to Mr. Ritchie was written, and before the "FEW DAYS" of waiting had expired, a voice from Pennsylvania was hurrying through the land. The democratic members of the legislature of that great state, which first had presented general Jackson, and through two contests sustained him, were now again the first to express their confidence in his administration, and to nominate him for a re-election. Awed by the independent and uncorrupted voice of this state, the managers at Washington paused in their career, to listen for the distant echoes of this denouncing sound,—this unexpected annunciation. Mark how it was announced in the *Telegraph*.

"The position of this press, located at the seat of government—its presumed relation to the president, the high respect and delicate regard, which he has, at all times maintained for public opinion, impose restraints upon it, in relation to the discussion at this time, of the propriety of his continuance in office for another term."

Again, a voice from New York, responding to the recommendation from Pennsylvania in terms of approbation, equally strong, was also heard, and these two large states, thus moving and acting together, gave answers, that whoever chose to go into retirement could do so, but that the claims of Mr. Calhoun to the presidency would, certainly, for the present, have to be postponed. Before a recovery could be effected from these decisive movements, the veto of the president upon the Maysville road bill was announced and filled the south with joy and hope. It falsified the predictions which had been made to Mr. Ritchie, and swept away that, whence a successful opposition was expected to arise. It was perceived that the president's moral, was no less than his physical courage, and the people of the south already exhibited a general feeling in his favor. All hope of arraying the south against the north, was seemingly impracticable, and for a time abandoned. Evidences of better feeling began to appear, and in June, the *Telegraph* undertook to show, that it had always been in favor of the re-election of general Jackson. In the mean time, the president and the vice president had differed in relation to some incident connected with

the Seminole (Indian) war, which had occasioned a coolness and separation.

Congress again assembled, and it was rumored that Mr. Calhoun intended to write a book, and give to the public his correspondence with the president. The papers were shown privately to his friends, who biased themselves in representing the affair, in conversation and in their letters, as an intrigue which had been gotten up on the part of Van Buren to destroy Mr. Calhoun. In preparing and bringing forward this address, much policy was necessary, and it was employed. I was requested to examine the manuscript, that if there was any thing in it, that could have a tendency to induce the president to reply to it, a modification might take place. The request I obeyed; but afterwards, that incident was used to prove, that the friends of the president had read and sanctioned the address, before it obtained publication. The statement, as it related to me, was illiberal and untrue.

The publication of this work again aroused party animosity, and partisans were perceived to take sides, according to their personal predilections, and to bring up the question of the succession, prematurely, as the means of creating division among the original supporters of the administration. The discussions in congress were evidently marked by such lines of separation; and while Messrs. Latham, Branch and Burien, could there find apostles and advocates, the other three members of the cabinet, were struck at, as the points of attack, by the new opposition. The one was a "malign influence," which was bending every thing to selfish purpose, while our colleagues were receiving honor, and commendation. Abuse from the papers on one side, and a disposition to retaliate from the other, were now clearly manifest. We thus had a prospect of open war between partisans of different portions of the cabinet, the evils of which, as was plainly to be perceived, could not but penetrate into our deliberations, interrupt business, affect the progress of public affairs, and disturb the quiet and repose of the country. While a party to contest the succession was thus organized in congress and in the cabinet, one of the prominent friends of Mr. Calhoun introduced a resolution, which contemplated, by a retrospective provision, to amend the constitution, so as to exclude gen. Jackson from being eligible to a re-election. If those who urged this measure in the house of representatives, did not hope absolutely to disfranchise the president by obtaining such an amendment, they moved it as a means of bringing a general principle to operate on him alone, and by obtaining a vote on the abstract proposition, to urge it as the sense of the representatives of the people against his re-election. In this mode was the war waged against the fame and influence of the man who was elevated by the voice of the people, and who was again summoned by them to become a candidate, because he had realized all their hopes, as the reformer of abuses in the government, and was securing the rights of our citizens and adjusting the difficulties of the country.

The situation of the president, was now easily to be perceived. With a cabinet politically divided, and personally, as may be presumed, not very friendly, it was impossible for him to move along in the arduous duties of his station, with satisfaction to himself, or advantage to the country. It was apparent, that in justice to himself, he must soon be under the necessity of re-organizing his cabinet, and if it could not otherwise be accomplished, to dismiss the disaffected portion of it. Having, accepted, reluctantly, a place in the cabinet, I concluded no longer to sacrifice my private comfort, or be the occasion of embarrassment to the president. Early in April, I communicated to him, (what in the previous month I had written to a friend in Philadelphia), my wish and intention to resign, which I shortly after executed. In my letter of resignation, it was not necessary or proper that I should go into a history of events, such as are now present. I confined my remarks solely to that which concerned myself, without adverting to, or touching on, the conduct of others. I felt not that any defence, or vindication, for voluntarily yielding my office, was necessary; and feeling no disposition to injure or assail others, I forebore to enter into details. The same determination would have been persevered in,

had not the illiberal conduct of my colleagues made a different course necessary.

Mr. Van Buren taking a similar view of the condition of the cabinet, and the situation of the president, connected with the peculiar circumstances in which he had been placed by his opponents, thought proper also to resign. Without going into a full explanation in his letter of resignation, or naming any of his colleagues, he presented briefly the result of the political intrigues, which were dividing the cabinet, distracting the party, and which pointed to a change in the councils of the president as necessary and indispensable.

The secret feelings and designs with which my colleagues entered the cabinet, and which while there, they continued to cherish—their "notes" of private conversations, treasured up for future and concerted use—the advice of a certain cabal, and an acquiescence in the counsel given, to enter the cabinet, and continue there for special purposes, notwithstanding "the insuperable bar" which conscience suggested, and the "indignity and outrage" which had been offered and borne for fifteen months, were all unknown to me. These were secrets worth preserving, and they were kept closely. Yet, entire confidence was reposed, that on being informed that Mr. Van Buren and myself had retired, the others would appreciate the motives which had occasioned it, and place their offices again at the disposition of the president, that he might organize a new cabinet of homogeneous materials, which would not be obnoxious to the attacks of any of his professing friends, and would suffice the affairs of the country quietly to be transacted. But these gentlemen, although now they pretend that they had been grievously "insulted," and were constantly liable to a repetition of the "outrage," could see no cause why they should resign, either as it regarded their own honor, the quiet of the president, or the harmony of his administration. Having gone into the cabinet to produce discord, they could perceive no reason why they should retire from it, to restore harmony. What they had so long and so ardently desired, being attained, [the exclusion of Mr. Van Buren and myself], they were more than ever disposed to continue. Besides, they could not see how the government could well move on without them, and they were solicitous to procure some justification, which they could plead to the people, for the injury which was about to result to the country at being deprived of their important services! Their honor, and the harmony of the administration, was quite insufficient! They must needs place their resignations solely on the will and the request of the president, that on his shoulders might rest the undivided responsibility of the awful deprivation which the government and the country were to suffer from their retirement. Their wishes were gratified, and a desire communicated that they should resign. Thus was the cabinet dissolved; and thus far the country, evidently, has sustained no injury, save in the disturbances and interruptions to the public which the complaints and murmurs of this dismissed and disbanded corps have occasioned. If, as has been stated, the president offered to two of them, Mr. Latham and Mr. Branch, after their removal, places of trust and honor, let it be set down to his kindness, not to their merits. He did not then know these men. He did not know how incapable they were of properly appreciating acts of kindness. He was ignorant that they had entered his cabinet, all smiles and fair professions, with daggers concealed in their bosoms. He little knew that these persons, who were admitted to his familiar intercourse, had been taking note of his private conversations and free expressions, which had been conned over between them, and prepared and carefully laid away for future use. He did not in fact know, they had been spies upon him from the beginning of his administration; and that, finding themselves deprived of the means of longer stealing into his bosom, to hunt out, and note down his thoughts, they were now ready for open, implacable and exterminating war. These things he did not then know. Recent events have disclosed them.

Nor did I comprehend the depth of the designs of these three gentlemen. Having resigned my seat in the cabinet, and being about to retire to my residence in Tennessee, I did not calculate that I should be detained

here from my home and business, to defend myself against their unprovoked attacks. In this I was mistaken. My pursuers were resolved that I should not escape the sweet revenge, which their deep mortification at the loss of office had aroused. I could not bear it longer. Messrs. Ingham and Berrien, who were here, were in habits of daily intercourse with the editor of the *Telegraph*, and their names being used in connection with the abuse which was propagated through that print against me, I conceived I had a right to enquire, whether their names had been used, and references to them made, with their sanction.

I readily admit, that no imperative obligation rests upon a man to engage in private combat, merely because he is invited to do so. Public opinion sanctions such appeals, only when the injured party has right and justice on his side, without other remedy. But a man who asserts a claim to the character of a gentleman, is bound to act like one. Mr. Ingham did not thus act, when to a plain and proper question, he returned an insulting reply, and sought "to strut the hero, and to ape the warrior," without the capacity to go through with that which so inopportunely and rashly he had begun. I never asked him to admit or deny, that my family and his did or did not associate. He never so understood me. It was for the publication only, and his supposed participation in it, that I held him responsible. My correspondence with Mr. Ingham, his degrading apprehensions, false charges, and ignoble retreat, have already, through himself, been made known to the public. He is suffering merited punishment, in the contempt of the brave, the abhorrence of the honorable, and the detestation of the community.

I addressed Mr. Berrien on the same subject. The correspondence which took place, he has laid before the public in his recent address. When it terminated, I had hoped our difference was ended. His late address, however, was of a character to induce with me a belief, that my forbearance on the former occasion, had a tendency to embolden him to further malignant assaults; and accordingly, without seeking explanation, I made a direct call upon him for personal redress.

His answer was never communicated to me. The friend who acted in my behalf, finding it an argumentative, labored reply, to a plain and simple demand, returned it as a paper not of a character to be presented or received. [See *appendix C.*] A second call was made, which resulted in a refusal on the part of Mr. Berrien, to grant the satisfaction which had been asked. He has proved that, with malice and hatred in his heart, he could wear the garb of a friend. Pretending to have claims to honor and character, he could become the traducer of a woman, seek the ruin of a family which had never harmed him, and shrink from responsibility. It must be ever so! Base men are not brave. A guilty conscience is a bad panoply on the field of honorable combat. The conscious wrong-doer anticipates the worst, and calculates to suffer, from a knowledge that he deserves it. It is not surprising, therefore, that Mr. Berrien's conscience did not permit him to trust himself with one, whom, so wantonly and so pertinaciously, he had wronged and sought to injure. These two men, *Ingham and Berrien*, will stand together in after time, and with honorable men, monuments of duplicity, ingratitude and baseness—traitors to their friend, and destroyers of themselves—a memorable illustration of the melancholy truth, that "a man may smile, and smile, and be a villain."

For Mr. Branch, I feel but pity and contempt. He has been the dupe of his own littleness of mind, and the victim of his more wily associates. Though he has entered into their feelings, and aided them in their designs—has asserted *untruths*, and offered injurious imputations, I cannot find in my heart to entertain a feeling of revenge towards so humble an accomplice.

The restless, troubled spirit, that, through such secret agencies, moved and controlled all this intrigue and management, became visible last winter in his proper person. His influence and address have associated in his schemes many partizans, besides those who embarrassed the late cabinet with difficulties. They have made themselves victims to his ambition. If he can now find pleasure in the course he has adopted for the

promotion of his views, in the afflictions with which he has visited my dwelling, or in the sacrifice of the willing instruments who, as friends, were employed to do this service, he must owe his satisfaction to the delusions of ambition. The time will come when the victims of his policy shall rise before him, like the shades which appalled the insidious and heartless usurper Richard, to disturb his slumbers, and to drive peace from him.

Detraction has struck at every thing around me. And, although it has been uniformly pretended that the persecution against me originated in great regard and delicacy for public feeling and morals, yet what are the proofs to authorize the rumors, about which Mr. Ingham and Mr. Berrien would not trouble themselves to enquire, but which, notwithstanding, they could slyly and secretly whisper into circulation? They have produced none! If this be legitimate warfare, there are few who may not be subjected to the ordeal from which the most innocent cannot always escape with a name unblighted. It is a well known fact, that in this city, there are hired writers for papers at a distance; and if some incident does not, from week to week, occur to fill their page, fancy must suggest some gossip tale to be told, and printed, and circulated. The motive with the writer, is his pay—with the publisher, the gratification of the appetite for slander, reckless of the wound it may inflict. Under such a state of things, which party excitement now tolerates, of what concern is probity of character—or what the value of a good name? It is upon this sort of anonymous rumor, propagated by the vicious and malicious, that political contrivers seized, to accomplish their purposes. Malignant as these gentlemen have shown themselves, all I ask of them is, to waive all concealments, allege specific charges, and adduce their proof. A conscience "void of offence," can meet them and defy their malice, let them but strike their blows openly and in the face of day.

But it is time to close this narrative. I am admonished, that already I have trespassed too long, and laid claims to an indulgence beyond any that I had a right to ask. I could not confine myself within narrower limits; and if I have said too much, be my apology found in this, that it is through no culpability of mine, that the public have been disturbed with private matters, and with private griefs. Patient and forbearing, I was disposed to keep to myself the adjustment of my own wrongs, nor solicit the public to become an umpire in matters which, being private, could in nothing concern and interest them. But I am not permitted to enjoy even this humble privilege. I have been arraigned before them by men, writing under malice, mortification, and disappointment. Idly surmising me to be the moving cause why the sun of their political glory was so suddenly shorn of its beams, they are restless, persecuting and unforgiving, and appeal to the country to redress those private griefs to which they have subjected themselves, by seeking to accomplish selfish aims at the expense of truth, honor and humanity. I throw myself upon the pardon and forgiveness of a liberal and just community for all I have said, and for any thing that may appear to be improperly said. Your fellow citizen,
JOHN H. EATON.

P. S. Gen. Robert Desha in a letter published in the *Telegraph* of the 9th August, volunteers a statement to vindicate the course of Mr. Calhoun, towards me. He says: "Maj. Eaton informed me in Tennessee, that as soon as he heard of the death of Timberlake, he determined to go on to Washington and marry his widow, and communicated his intention to gen. Jackson, who advised him to do so." In the same letter, he says: "This is the time for the truth, the whole truth, and nothing but the truth; for it is what the people are in search of."

More than a month after this letter was written, gen. Desha again writes a corrective letter contradictory of the material statements of the original; and for the mistakes of the first, excuses himself by saying, that he "did not read *RAID* LETTER after writing it." Strange indeed, that a man should prepare a letter, intended for the press, and to affect other persons, and afterwards admit it to be incorrect, and offer as matter of excuse, that he did not read it after writing it. In this corrective letter, which was written after his friends at Washington had informed him, that I had it in my power to

correct it, by most indisputable testimony, he says: "I never held a conversation with major Eaton, in Tennessee, upon that subject; but it was in the conversation had in Washington, the major informed me, that when he was in Tennessee, and heard of the death of Mr. Timberlake, he had communicated his intentions of marrying the widow to gen. Jackson, who was also in Tennessee, who approved of it, and advised him to do so." The general has not gotten his story right yet. He still adheres to the point, that I was in Tennessee when I heard of the death of Mr. T., and that gen. Jackson advised me to marry, &c.

The purpose of this statement is evident. It is that the public should infer that I could, in Tennessee, immediately on hearing of the death of Mr. T., determine "to come on to Washington," not to address, but of my own will to marry his widow; leaving it to be inferred, that I was not only conscious of a state of circumstances, which made it unnecessary to consult her upon the subject, but that general Jackson was also aware that such was the case.

In the spring of 1828, while in the city of Washington, information was received at the navy department of the death of Mr. Timberlake. I heard of it here, not in Tennessee; and when gen. Desha's letter appeared, there were persons in this city who knew, and said, that his statement was incorrect. Doubtless some friend here afforded him the information, which imposed the necessity of writing his second note, which like the first, requires to be corrected. I went home to Tennessee in 1828—remained there during the summer, and in November returned to Washington. From this place I wrote a letter to gen. Jackson upon the subject, and in that letter stated to him my views, intentions, wishes, and expectations, and from him received an answer approving of the course I had pursued—the determination I had taken. Being possessed of this letter, I can be under no mistake as to dates or facts.

In conclusion permit me to remark, that gen. Desha has thrust himself into this controversy quite unnecessarily. His appearance as one of my assailants was not called for, or required. He has appeared a mere volunteer to sustain Mr. Calhoun. I know not what other object he had to answer—what other purpose to serve.

In support of what I have said, I place here a statement of Mr. Mechlin of the treasury department. Were it necessary, others could be obtained, to show that gen. Desha is under a mistake in what he has said to affect me, and to affect gen. Jackson. The character and standing of Mr. M. renders any thing further unnecessary. Mr. Mechlin says:

"In the spring of 1828, news were received at the navy department, of the death of J. B. Timberlake, purser on board the United States frigate Constitution, I set out to inform Mr. O'Neale and the family; but meeting with major Eaton on the avenue, who then boarded there, I requested him to communicate the information."
J. MECHLIN."

Gen. Desha also says, there was no meeting at the last session of congress, with a view to obtain my removal from the cabinet. It has not been so averred. He will not say through, that this was not the case at the session of 1829—'30.

With these explanations, which must satisfy gen. Desha of the mistake he has made, I take my leave of the subject.
J. H. E.

APPENDIX.

A.

Statement of Mr. S. P. Webster.

Previous to the presidential election, I was in the habit of frequent intercourse with Duff Green, at his house, and more commonly at his office. In the fall of 1829, October or November, I met with general Green, and he commenced talking about col. —, who was then in the war department, and whom he wished turned out. I thought he seemed rather in an angry humor, and extended his conversation to major Eaton generally. He remarked, that his remaining in the cabinet was of great injury to the party generally—that his situation made him the support of the weak persons of both parties; and that such persons leaned upon him for support—that he was used by the secretary of state to forward his inter-

ested and selfish views, and that Mr. Van Buren, through him, was seeking to secure the confidence and personal friendship of gen. Jackson—that if Eaton continued in the cabinet, the secretary of state, who had influence over him, would be able to manage the president as he pleased, and direct the acts of the government to his (Mr. Van Buren's) future prospects. That general Jackson ought to send major Eaton to Russia, or at any rate it was necessary that he should not longer remain in the cabinet—that some of general Jackson's best friends had spoken to him freely on this subject, and if some decisive step was not taken soon, he did not know what might be the consequences.

In the course of the conversation, he observed that the president ought not to be run a second time; that he was sure he did not wish it, and would prefer retiring to the hermitage at the end of the year; and that in effect he had promised to do so, and the people would be dissatisfied if he did not—that Mr. Van Buren was using all his art and intrigue to induce him to suffer himself to be run again; but that if he was again elected, Mr. Van Buren would have obtained such an influence over him and his friends as to be able to command their interest at a subsequent election—that we (the Jackson party), had been fighting for the last five years against cabinet succession, and were now quietly sitting down and permitting the secretary of state to use gen. Jackson and the whole interest of the government, to ensure his future success—that, if this was permitted, we had gained nothing by the change—that the great republican party would fix upon a candidate who would get the votes of the party in 1832; and that general Jackson ought to go home. This was the last conversation or intercourse I ever had with Green, beyond a mere salutation. I plainly perceived he was no friend to gen. Jackson, and I determined to have no further political intercourse with him.

B.

Statement of Gideon Welles, editor of the Hartford Times

Whilst in Hartford, Connecticut, general Green several times spoke of major Eaton as wanting energy and independence—said that the contest which brought general Jackson into power, had been with him merely personal not one of principle—that he exercised his influence in behalf of opposition office holders, and opposed to removals. In conversation with him at Washington, the latter part of December, 1829, he said it was necessary for him to leave Washington if the administration would prosper. Although they were personal friends, and he wished him well, truth required him to state, that his remaining at Washington was injurious to the administration—that, through him, Mr. Van Buren had already attained great influence over general Jackson, and wished him to consent to a re-election, in order to postpone Mr. Calhoun's claims, and drive him, if possible, into retirement. It is unnecessary to repeat the political views of general Green and his associates, his eulogies on Mr. Calhoun, his talents, his services, his political strength, the devotedness of his friends, particularly of judge —, who, though a mason, could bring in anti-masonic, federal, and religious parties. Nor need I state, how willing the faction was to sacrifice their friend, the judge, with all his popularity, if Mr. Van Buren would cease pressing a re-election on the president, and consent to be placed on a ticket as vice president. Had that arrangement been made, or any other that would have secured Mr. Calhoun the presidency, nothing probably would have been heard of cabinet and family difficulties at Washington, nor Mr. Ingham have assailed me. As I learned by that conversation, gen. Green's object was to bring forward Mr. Calhoun for president; and he and his advisers considered major Eaton and Mr. Van Buren as obstacles. He seemed to suppose, however, that if Eaton was removed, all would be peace and harmony, and removed he must be.

Mr. Calhoun, he said, had no influence with the president, and could have none while major Eaton remained there, nor could any of his friends receive appointments, so long as he remained in the cabinet.

Knowing that I had been an advocate for gen. Jackson since 1824, he endeavored to enlist jealousy by rep-

resenting that Mr. Van Buren, through major Eaton was endeavoring to confer all appointments on the old Crawford party. It was indispensable to the prosperity of the administration, therefore, and the harmony of the members, that he should leave Washington.

He admitted that Branch and Berrien had treated major Eaton unkindly. That they had courted his society the previous winter; were frequently riding with him and Mrs. Eaton, and that each were under greater personal obligations to him than any other individual except the president. Mr. Branch, he seemed to think most culpable, as through maj. Eaton, principally, he said he had intruded into it into an office, to the surprise of all; and when the whole country had their eyes on another. It was that, he said, which had defeated his and my wishes, and of most of our friends. But that between these gentlemen, there was now particular animosity.

There was one way in which maj. Eaton could retire honorably and victoriously. By accepting the mission to Russia, it would be making an honorable exchange for the war department, and all were willing Mr. Branch should be dismissed, which would furnish a triumph to Eaton. This arrangement of leaving both leave the cabinet, would satisfy all parties. It was desirable major Eaton should leave the cabinet and leave Washington. The mission to Russia was an honorable post and he and Baron Kruedener were friends, and on intimate terms. This arrangement he spoke of as having been for some time under consideration and he assured me, there would be a change of the cabinet before congress closed its session. He mentioned the individual who would probably succeed Mr. Branch. He alluded to an "insuperable bar" to this arrangement, provided maj. Eaton was refractory, and determined to remain, and that was in overcoming the friendly feelings of the president. He seemed to despair when he spoke of the shining affliction, which formed so prominent a trait in his character, and which never would permit him to forsake a friend.

C.

Correspondence between Mr. Eaton and Mr. Berrien. Washington City, Monday morning, July 25, 1831.

Sir: In your letter to me of the 18th June, in reply to mine of the preceding day, you in effect say, (although denying my right to interrogate you), that the attacks made upon me, in a paper in this city, were "without your agency." You volunteered the declaration, that you did not "think it necessary to decide upon the truth or falshood of the statements which were made," in relation to my family; leaving me to understand, that as you had formed no opinion, so neither had you expressed one, in any wise derogatory of me. After these explicit disavowals as to yourself, I did not deem it proper to take exception, or to hold you personally accountable, for conforming to rumors which you may have heard, or "to the general sense of the community," which you so falsely assume as a pretext to injure me, and to disparage hundreds of the most respectable persons in our country, who have maintained friendly relations with me and my family—persons in all respects, equal in standing with you, and those who hold intercourse with you.

Upon this proof of my forbearance, a forbearance which I ever hope to exercise, except in cases of high emergency, you have grown bold, and in a labored article recently addressed to the public over your signature, giving countenance and sanction to the base slanders which have been propagated against me in my domestic relations, you speak of them "as evils which presented an insuperable bar to your entering the cabinet;" and that your assent was finally given, under the persuasions that the president would specify his error, and by removing me, correct the evil. This is what you intend to say, omitting at the same time a material fact, which was known to you that I was the identical person through whom was communicated to you the desire of the president, that you should enter his cabinet; and that through the same person you returned an answer, offering at the time private business only as a reason why you could not, and did not, at the instant of the application, make a prompt acceptance or refusal.

Sir, the open attempt now made, unprovoked—and altogether uncalled for by any course of mine towards you—is obvious to every eye. The whole nation must perceive that your object and purpose is to mark me with dishonorable imputation. These efforts of yours, so persevered in, will, I confidently believe and hope, justify me to the American people, and to all honorable men, in requiring of you the reparation due to one who so wantonly has been abused, insulted, and injured; and accordingly I do require it. With due respect,

J. H. EATON.

To John McPherson Berrien, esq.

P. S. This letter was prepared to be delivered to you on Monday, but the absence of the friend, who was expected to be the bearer, the daily expectation of his return, and the difficulty of procuring one unconnected with the government, has occasioned the delay.

J. H. E.

To this letter a long argumentative reply was returned. I never saw it. My friend refused to receive it, as not being a proper and definite answer to the call. Gen. Hunter's letter explains what afterwards took place. It is as follows:

Washington, Tuesday evening, 2nd Aug. 1831.

DEAR SIR: I enclose to you the correspondence which has taken place between gen. JONES and myself to whom I was referred as the friend of Mr. BERRIEN.

You will perceive, from the character the transaction had assumed in my absence, I had only one course to pursue on my return to this city, which was to explain the reason of that absence, and require of Mr. BERRIEN, to an explicit demand, an answer equally so. I was informed, verbally, by the general, that his friend had taken his ground, in the rejected communication, from which he would not depart; and that if the case of maj. EATON was pressed further at this time, it was to be understood as declined. I, however, thought it best to deliver my note, and await a written reply. Gen. JONES' letter of the 2nd of August, in answer to mine of the first—nothing other than a confirmation of what had been verbally declared to me the previous evening—and I accordingly assumed upon myself to say, as your friend, I could hold no further correspondence with him on the subject. Deeming it unnecessary and improper to proceed further, as I considered the matter finally closed, I remit it back to your hands. In conducting this business, I take occasion to say, that I was at the place of conference during Thursday and the next day from 10 to 3 o'clock, leaving a note saying, I should again be in attendance on Saturday.

I am, sir, with great respect, your friend and obedient servant,

ALEXANDER HUNTER.

—Maj John H. Eaton.

Copy of a letter, addressed by gen. Hunter to Mr. Berrien, which he was directed to deliver to gen. Jones, as the friend of Mr. Berrien, dated

Washington City 1st Aug. 1831.

Sir: Severe indisposition since Friday evening last, confined me to my bed, and prevented me from conferring with you on the subject of major Eaton's call of Thursday. I was consequently not in place when your answer of Saturday, (as I understand), was presented. Hence, from necessity, it was read by another friend, who, deeming it inadmissible, returned it.

I now await your answer. The call of major Eaton is explicit, it is expected the answer will be equally so.

I am, sir, very respectfully, your most obedient,

ALEXANDER HUNTER.

John McPherson Berrien, esq.

Copy of so much of gen. Jones' letter to me, in answer to mine of the 1st of August, addressed to Mr. Berrien, as relates to the subject matter, received

12 o'clock, 2d August, 1831.

DEAR GENERAL: In answer to the note which you put into my hands at parting this evening, for Mr. Berrien, I can only recapitulate, in few words, what, for your private satisfaction as a gentleman and man of honor, I have already communicated to you verbally.

According to Mr. Berrien's appointment with you on Thursday, he sent by a member of his family, (wholly unapprised at the time, of the nature and tendency of the correspondence), a sealed letter to yourself, enclosing a written answer to the note delivered by you from major

Eaton. The bearer of this answer attended several times, both on Friday and Saturday, at the place of appointment, but without meeting you, in consequence, as I now understand, of your confinement at home from indisposition. On Saturday, he was met at the place of appointment by another friend of major Eaton, with authority to receive the communication in your place; which, after being opened and read, was forthwith returned to Mr. Berrien, with a verbal intimation that maj. Eaton would not receive it.

This seems to close the door to all correspondence between the parties, and of course to any communication in reference to the original demand upon Mr. Berrien, between third persons, acting in their behalf. In Mr. Berrien's proffered answer to major Eaton, he has taken his ground, and upon that, under existing circumstances, he must stand as firm and immovable as he would upon any other that he might have elected. After the indignity of having the answer, which he had devised, thrown back upon his hands as unworthy of reply, without the slightest explanation how or why it was deemed inadmissible *in time*, he cannot submit to the task of graduating new answers by an imaginary scale, till he may chance to have descended to some supposed degree of admissible answer. I was myself wholly unapprised of this unhappy affair, till it was communicated to me this morning; when I engaged, in case you should take any further agency in the matter, to explain to you individually as a gentleman, what guarded respect to the original medium of communication between the parties, Mr. B. had observed in all that had been transacted during your absence, and how completely all direct and authorized intervention had been cut off, and the affair remitted to the discretion of mere parties. Such was the beginning, and such was the end of my present commission.

Copy of my answer to the foregoing letter, dated Washington, 2d August, 1831.

DEAR GENERAL: From your note of this morning, it appears that the matter, so far as you are concerned, as the friend of Mr. Berrien, is terminated—as the friend of major Eaton, I can, therefore, hold no further correspondence with you. I am, dear sir, yours very truly,

ALEXANDER HUNTER.

From the National Intelligencer.

Washington, Sept. 15, 1831.

GENTLEMEN: The misrepresentations contained in the article under the signature of John H. Eaton, published in the *Globe* of this morning, will require correction. For the purpose of doing this, so far as I am concerned, I will, with your permission, shortly avail myself of the use of your columns. You will oblige me, in the mean time, by giving publicity to this note. I am, very respectfully, gentlemen, your obedient servant,

JOHN McPHERSON BERRIEN.

To Messrs. Gales & Seaton.

A LETTER FROM MR. LUMPKIN.

From the "Federal Union," (Georgia.)

Those editors who have published Mr. Crawford's address to the citizens of the United States are requested to publish the following strictures on that address and its author.

Messrs. Editors: In the *Georgia Journal* of the 25th instant, I have read an address "To the citizens of the United States," signed "Wm. H. Crawford," in which the author has used my name in rather an unfriendly and uncourteous manner, more so, I presume, than he would have done at a calm and lucid moment.

Were the publication limited in its circulation to the people of Georgia, where Mr. Crawford and myself are both fully known, I should not deem it necessary to pay the slightest attention to his denunciations. But the standing which Mr. Crawford once had in the United States may mislead some portion of the reading public.

To the whole of his disparaging charges, I give the most unqualified denial. He knows them to be false. He knows that I have been an undeviating republican, throughout my whole life. He knows that I am no "turn coat." He knows my firmness and independence, from *mortified experience*. He knows that, although in my youth I supported him for various minor offices, I abandoned him against my own popular interest, and contrary

to the wishes of many of my personal friends—when I believed that the interest of my country required me to do so. He knows that my intimate knowledge of his political course convinced me that he was utterly unworthy of that public confidence to which he aspired.

Because in my youth I had supported Mr. Crawford for a seat in the legislature, and other offices, and when he aspired to the presidency of the United States I preferred Andrew Jackson, Mr. Crawford accuses me of a want of republicanism—of political apostasy, of *snaking* a source, &c. Time has been in Georgia, when Mr. Crawford had the combined means and art to make the majority of the people believe that republicanism consisted in supporting him in all his ambitious schemes of self-aggrandizement; but he has outlived his arts—his political juggling is at an end.

The people of Georgia are no longer under the dictation of Mr. Crawford. The passport to honor and distinction are *real* or *supposed* merit; intrinsic worth of character. The people of Georgia do not at present believe me to have been a federalist because I supported Andrew Jackson for the presidency in preference to William H. Crawford.

The copy of Crawford's letter to Mr. Balch, which passed through my hands, was unexpectedly received by me, without any previous knowledge of its existence. I transmitted it to Mr. Calhoun, with the feelings and opinions I then entertained; and if I labored under some misapprehension in regard to the opinions of others, I was not singular in that respect—nor do I feel that I have any cause of shame for my feelings then expressed; they will continue to be creditable to me in the estimation of every honorable man—although they were written without the slightest expectation of being laid before the public.

Mr. Crawford is entirely mistaken in regard to my humble pretensions. I make no pretensions to the spirit of *prophecy* or *extraordinary sagacity*. I stand amongst the number whom Mr. Crawford reproaches with the epithet of *ignorance* for having sustained and supported gen. John Clark against the oppressions and persecutions of Mr. Crawford and his co-workers. I have never submitted to the humiliation of setting up the political creed of any man—as the unerring standard of orthodoxy. I have a much higher standard, the *constitution of my country*, in arriving at a true interpretation of which, I avail myself of the lights of those patriots and statesmen who have sealed their fidelity to their country by the tenor of their whole lives.

If I had supported Mr. Crawford for the presidency, I have no doubt he would still have considered me a pure republican—but as I have some doubts upon the subject of his uniform republicanism, I will, in conclusion, propound a few interrogatories to Mr. Crawford, to wit:

Inst. 1st. Did you, or did you not, draft and sanction the Augusta address in the year 1798, expressing "the most unlimited confidence in the firmness, justice and wisdom" of the administration of John Adams, sen? If yes, what was your age at that time?

Inst. 2d. Was it not one of your first acts in the senate of the United States in the year 1807, to vote against the embargo, recommended by Mr. Jefferson, to save our immense mercantile capital from the desolating sweep of the French decrees and British orders in council? And was not that measure then considered the touchstone of republicanism? And was not your vote then and there recorded, with the federal minority, headed by Timothy Pickens?

Inst. 3d. When Mr. Jefferson and the republican party determined to abandon the embargo, and prepare for more decisive measures, were you not then opposed to its repeal? And do you not now think, that the embargo was expedient in its incipient stage, when you voted against it? And unwise in its continuance, when you voted for it?

Inst. 4th. Did you, or did you not, about this time, set your eye and affections upon the presidential chair; and commence your political courtship with the federalists?

Inst. 5th. Did you not treat Mr. Madison's messages proposing preparatory measures for war, *encringly*? and admonish the senate against measures preparatory to war? contending then that the embargo ought to have

been adhered to? And did you not afterwards, when the war became inevitable, pronounce it worse than ridiculous, to think of supporting our commerce by a navy?

Int. 6th. When the question of the late war came direct before congress (though you finally voted for the measure), was not your support cold, silent, inefficient, and equivocal, during the long and arduous struggle in the senate of the United States? And did you once raise your voice in its support?

Int. 7th. Did you not soon after the war was declared, take refuge from responsibility and danger in a foreign court, and there remain in undistinguished and unprofitable security, until the storm of war, danger, and responsibility, had subsided?

Int. 8th. Although you shrank from the responsibility of sustaining the war, were you not found soon after the return of peace, ambitiously aspiring by the most censurable means, to that high office, which a grateful people had almost unanimously designated as the reward of the long devoted services of Mr. Monroe?

But I forbear pursuing this subject further, and ask Mr. Crawford and his friends, what benefits has Georgia ever derived from the services of Mr. Crawford? What justice is there, in denouncing every man, who has too much independence to yield obedience to the dictatorial mandates of an aristocratic few?

WILSON LUMPKIN.

Monroe, 29th August, 1831.

LETTER FROM GENERAL DESHA.

To the editor of the U. S. Telegraph.

Gallatin, (Tc.) Aug 25, 1831.

Gen. Green: My object in addressing you at this time, is to correct an error in my letter to you of the 20th of July last, and published in the Telegraph of the 9th of this month. I did not read said letter after writing it, or I certainly should have discovered the mistake, which is, that major Eaton informed me in Tennessee, that as soon as he heard of the death of Timberlake, he determined to marry his widow, and communicated his intentions to gen. Jackson, who advised him to do so. Now, I never had a conversation with major Eaton upon that subject in Tennessee, but it was in the conversation we had in Washington the major informed me that when he was in Tennessee and heard of the death of Timberlake, he had communicated his intention of marrying his widow, to gen. Jackson, who was also in Tennessee, who approved of and advised him to do so. This explanation you will please make in the Telegraph.

I have noticed in the Globe that the friends of Mr. Calhoun are charged with holding meetings during the last session of congress for the purpose of addressing the president to remove major Eaton, and says myself, with others named, will prove it. Now, sir, if the friends of Mr. Calhoun ever held meetings for that or any other purpose during the last session of congress, I am not aware of it. I acknowledge that I was during the last session in company with judge White, Mr. Grundy, and col. Polk, of Tennessee, judge Bibb, Mr. Wickliffe, and Mr. Daniel, of Kentucky, and general Overton, of Louisiana; all, as is well known, are warm, personal, and political friends of general Jackson. At this time I cannot recollect how or at whose instance we met, but I am satisfied you have correctly stated, in the Telegraph of the 9th of August, the object of the meeting. Very respectfully, ROBERT DESHA.

FASTING, HUMILIATION AND PRAYER!

From the Charleston Mercury of Sept. 3.

The following letter from his excellency the governor, in relation to the resolutions adopted by several public meetings, requesting him to appoint a day of general humiliation and prayer to Almighty God, has been handed us for publication. It will be seen that his excellency, whilst he cordially approves and complies with the wishes of his fellow citizens on this interesting subject, has postponed the period of this solemn religious observance to October next. The reasons assigned for the postponement reflect much credit upon the delicacy and high sense of propriety for which that officer is distinguished, and cannot fail to command the unqualified approbation of the people.

Charleston, Aug. 25, 1831.

SIR—I have had the honor to receive your communication as chairman of a public meeting of the state rights and free trade party of Beaufort district, enclosing the following resolution adopted by that meeting.

Resolved, That, impressed with a deep sense of our entire dependence upon God, and the necessity of his aid and guidance in all things, the governor be requested to appoint Friday, the 9th of September next, as a day of fasting, humiliation and prayer to God, that he will direct us to the means most pleasing in his sight, of removing the national oppression under which we suffer, and of producing harmony and unanimity of sentiment in the state.

As this resolution has been adopted by those whom you represent, and whom I so highly respect, and by several other meetings of my fellow citizens, I will very cheerfully comply with their wishes. As, however, the 9th of September is too early a period to allow a sufficient dissemination of my proclamation through all parts of the state, I shall take the liberty of designating some convenient day in October next, for the proposed religious ceremony. There are, moreover, some objections to my naming so early a day as the 9th of September of a local character affecting this city, which induce me to postpone, for the present, the issuing my proclamation. This community is now engaged in an ardent and excited canvass for the corporate election, and if a direction of the public mind were now given to this topic, it might, (however unjustly), subject the proceedings to an imputation of being designed to party purposes. I trust moreover that a postponement of my proclamation for a few weeks, may enable me, at the close of the season, to add to our "fasting, humiliation and prayer," a thanksgiving for the health with which the Almighty has been pleased to bless our homes, and for the abundance which he has bestowed on our harvest.

I have the honor to be, dear sir, with great esteem, very respectfully, your ob't. serv't,

JAMES HAMILTON, jun.

Dr. Thos. F. Screven, chairman of the late meeting of the state rights and free trade party of Beaufort district.

☞ We think that hardly ever before had we so much matter waiting an insertion—a good deal of which has been prepared with much labor and care. We shall make liberal efforts to reduce its quantity and keep pace with events. We are threatened with several long articles on the already voluminous controversy, of all which we intend to preserve a full account. It will be curiously interesting to call-up these things hereafter, when "existing circumstances" and "malign influences," shall have ceased to operate on the judgments of men.

☞ With considerable labor, we have noticed the chief points in the great mass of foreign articles received by late arrivals. It seems that a general war in Europe may not be expected—at present, and we are glad of it; not only for the sake of Europe, but because of our own country—whose approaches to solid, substantial independence we do not wish retarded by artificial and temporary excitements, resting upon events over which we have no sort of control.

☞ The general convention of agriculturalists, mechanics and manufacturers of the United States, proposed to be held at New York on the second Wednesday of October next, has been postponed, (by order of the committee appointed to call it) until the *twenty-sixth day of October next*—when, it is hoped, that the friends of *home trade*, in every state, will be represented. In the mean time, *perhaps*, the Philadelphia convention will condescend to tell us what *free trade* is, and where it may be found; both which it is highly important should be discovered! Indeed, we think it obligatory on the "free trade" gentlemen to find out these secret things, which so many think are only "matters of moonshine."

☞ We propose the following as the first resolution to be offered at the Philadelphia convention—

Whereas it is clearly unconstitutional and certainly unjust and wicked, to protect the pursuit of any one class of persons in the United States, at the cost of all the other classes—

Resolved, that the squadrons of vessels of war stationed in the Mediterranean and West India seas, and in the South Atlantic and Pacific oceans, be instantly withdrawn—and that the whole navy, built and supported for the protection of commerce, at the cost of one or two hundred millions of dollars, be—*TUHANAWKED*, forthwith—that trade may "regulate itself!"

☞ The "New York American Advocate" gallantly battles on the side of the industry of the people of the United States, and will accomplish a great service in favor of the "American System;" which has covered our hill-tops with sheep, and caused the valleys to resound with the busy hum of prosperous industry—the producer and consumer being placed side by side, and uniting their voices in some new tune to render thanks for benefits conferred by the Author of all good, in consequence of new means of comfort afforded, and new inducements to a virtuous life, extended to the whole laboring population.

☞ The general report of the condition of the bank of the United States, shall have a place as soon as we can make room for it—being a paper of much importance to the government and people, in a just consideration of the state of the country.

☞ A curiosity has been placed in our hands. It is the envelope of twenty-four copies of major Eaton's reply—all which were thought to weigh about three pounds, forwarded to a gentleman of this city, and franked at Washington.

A "FREE TRADE" MEETING, to send delegates to the Philadelphia convention, was pompously called at New Orleans, and many people met—but no one appearing to "open the business"—the people returned to their homes—being indisposed to "nullification."

WOOL. The New York Advocate of the 12th inst. contained various advertisements offering for sale 131,000 lbs. and also about 500 bales of wool—chiefly American.

GRAIN OR FLOUR for the English market, we presume, will not be in demand. All accounts agree in stating that the harvest in England would be very abundant. The crops were chiefly secured, and the weather was uncommonly fine. Some of the new wheat had already been in market, and was sold for 8s. per bushel.

MOVEMENTS! Mr. Livingston, secretary of state, arrived at Washington from New York, on Thursday last—and Mr. Woodbury, secretary of the navy, has also returned, with his lady. Mrs. Livingston was expected. Mr. and Mrs. Doubson, (who reached Washington a few days since), left Baltimore on Tuesday morning, in company with Mrs. McLane, lady of the secretary of the treasury, for Philadelphia. Mr. and Mrs. Eaton have departed for Tennessee, as announced in the "Globe." The "Telegraph" of Tuesday says, that no civilities had been exchanged between Mrs. McLane and Mrs. Eaton, during the late stay of the former at Washington; and that the families of the other secretaries were not expected to arrive until the departure of Mrs. Eaton was finally settled; adding some remarks which we shall not copy. The same paper intimates that Mr. Eaton proceeds to Nashville, expecting a seat in the senate; but Mr. White's time will not expire until March 1833, nor Mr. Grundy's until 1835.

It is rarely that we have had a paragraph in which the names of ladies were so prominent—but it seemed useful to the public information that they should be mentioned.

*We learn that Mr. and Mrs. Eaton have proceeded no further than this city, (Baltimore), because of the indisposition of the latter.

ELECTIONS. The college recently elected in Maryland, to elect a senate of the state for the ensuing five years, met at Annapolis on Monday last, and, having appointed Joseph Kent, (late governor of the state) president, proceeded to business—and on Tuesday elected the following gentlemen—

From the Western shore—John G. Chapman, of Charles; Dennis Claude, of Annapolis; Benjamin S. Forrest, of Montgomery; Charles F. Mayer, of Baltimore; James Montgomery, of Harford; B. S. Pigman, of Allegheny; Thomas P. Sappington, of Frederick; Octavius C. Tabor, of Calvert; and Wm. F. Wooten, of Prince George's—and from the Eastern shore, Littleton P. Dennis, of Somerset; Thomas Emory, of Queen Ann's; William Huggitt, of Talbot; Samuel G. Osborne, of Kent; Henry Page, of Dorchester; and George Reel, of Caroline. Total 15. All "national republicans."

There were five candidates for the office of governor of Mississippi, and the following is given as the state of the votes, officially ascertained from all the counties but one, which will not materially affect the result, viz:—Scott 3,945, Runnels 3,711, Lynch 2,871, Harris 1,452, Gordon 493. Colonel Abraham M. Scott is therefore duly elected, by a small majority, over his most prominent competitor, H. G. Runnels.

For the Lieutenant governor, the votes were, in all the counties but three, Fountain Winston 6,427, John H. Norton 4,375. The former is certainly elected.

The elections for governor, &c. have just taken place in Vermont. The returns are not complete—but so far, Mr. Putner, (anti-masonic), had 12,168 votes for governor, Mr. Allen, (nat. rep.) 11,250, and Mr. Meech (Jackson), 5,528. "No choice" has been made of a member of congress in place of Mr. Mallary—but Mr. Slade, (anti-masonic) had a large plurality.

Mr. Smith, the Jackson candidate, has been re-elected governor of Maine. Particulars hereafter.

THE SOUTH. By storms and floods and murders—and many real or apprehended insurrectionary movements among the slaves, our fellow citizens of the south have greatly suffered, and claim our most earnest sympathy for what they have yet to endure. We heartily feel with them; and regret to learn that a paper called the "Liberator," published at Boston by Mr. Garrison, who had a temporary residence in Baltimore, has been widely spread among the people of color, for the seeming purpose of provoking insurrection and massacre.* We hold no communion with such proceedings,—though religiously opposed to slavery; and, while our first consideration would naturally be the preservation of the whites—the second, the welfare of the blacks themselves, is almost equally a matter of imperative importance. A sudden emancipation, either by force or through principle, would be a calamity that must desolate the south, and cause a terrific destruction of both masters and slaves! No one of a sane mind, we suppose, can entertain such a project, unless reckless of misery and blood.

* There is, perhaps, no law which can reach such proceedings in any of the states north of the Susquehanna—but an exertion of public opinion may correct this publication in Boston; and it is certain that the inhabitants of that enlightened city have no participation in such outrageous doings. We understand that some (how many we know not), copies of the "Liberator" are transmitted "gratis." There is much safety in the intelligence of many of the free persons of color. They have their little properties—business and personal attachments, and many are honest and worthy people; and all such know the folly, or rather madness, of any attempt to advance themselves, by force; that momentary success would inevitably be followed by a general extermination or fearful addition to the privations and hardships now encountered by persons of color. Another affair like that at Southampton, we trust, will not take place—for, for each like murders committed, an hundred lives of, perhaps, generally innocent persons, will be offered a sacrifice to revenge. The power is with the whites, and that they will abuse it, under such circumstances, must be expected.

The storm, with its damages in Louisiana, has already been noticed—the loss was exceedingly heavy, though less than at first apprehended. The growing crops of corn, cane and cotton were much injured; and the “rot” of the latter, because of long continued rain, will be seriously felt in Louisiana, Mississippi, and Alabama, &c., and we now see that the *caterpillar* has commenced his depredations in South Carolina. The crops of some of the planters, it is said, will be wholly lost by the myriads of this insect which prey upon them.

The losses by the floods are enormous. It is supposed that the damages sustained by the rise of the Savannah river, only, will amount to two millions and an half of dollars! The desolation on other streams have been proportionally great; and, to the loss or damage of the cotton and corn crops, that of rice is to be added, by the overflows, and on account of mud and sand deposited.

But this is not all. A dreadful sickness prevails, in many places, probably because of the excessive wetness of the season, and extraordinary product of vegetable matter. The low country, in all parts of the United States, is now unhealthy.

SERVILE INSURRECTIONS, &c. We have great pleasure in saying that the report of the destruction of Wilmington, N. C. by the negroes, was altogether erroneous, though apprehended at Raleigh when the account came away. Excessive agitation prevailed in that city—the men were under arms, and the women and children half-distracted by their fears; and thus it was in several parts of North Carolina, and the people hastily prepared themselves to encounter reported armies of slaves! Certain suspicious movements took place in some of the counties—and terror exaggerated every thing. Martial law was proclaimed at Wilmington and other places—various conspiracies are supposed to have been discovered, and a considerable number of blacks have been arrested. Duplin, Sampson, Wayne, New Hanover, Jones and Lenoir counties, would seem to have been the seats of “organized” conspirators! Reports of murders were numerous—17 families, (it was positively said), being massacred in Jones county! The women were much agitated, and a fearful looking to events, with a greediness to hear tales of horror, (as is always the case under such circumstances), seized the men; but after all, it does not appear that the slaves committed any excesses—that any person was murdered; but the unhappy belief that a general rising of the blacks was planned, must long keep the people in a very embarrassing and distressed condition. Business was beginning to resume its wonted course, but the white people, every where, rested on their arms. Every free negro at Raleigh had been arrested and examined—and some were ordered to leave the city, because they could not give a good account of their mode of subsistence; but it has not yet been stated, we think, that any free negro, either in Virginia or North Carolina, has been found guilty of a participation in the outrages contemplated or committed. This, surely, is much to the credit of this class of persons. A company of U. S. troops from fortress Monroe had arrived at Newbern, to protect that place and its neighborhood.

The trials, because of the late insurrection in Virginia, were yet going on—12 or 15 have been executed, some sentenced to transportation, and a few recommended to mercy, and about 30 yet remained for examination. No appearance of concert among these had manifested itself. The negro confined in Baltimore jail, was not “*gen. Nat.*,” as reported—but charged with horse stealing and sent to Washington. The gov. of Virginia has offered a reward of \$500 for Nat. The actual number of white persons slaughtered in Southampton is 35—chiefly women and children, and in the most feud-like manner. Much alarm had existed in several other counties of Virginia, and many negroes had been arrested. There were eight convictions in Sussex. The white people were very generally armed themselves, and many volunteer companies have been formed.

We earnestly sympathize with our fellow citizens in their agitations, as well as because of their actual sufferings. The general cry now is, “something must be done!” What can be done? Much might have been effected by the colonization society, and may be, if those

most interested shall heartily take up the subject—released from their newly-formed constitutional scruples, and willing to make some personal sacrifices to the general safety and the public peace. Years, perhaps, must pass away before the people in the lower country of the south will feel that same confidence in the security of their wives and little ones, which they lately entertained; every idle rumor—every movement among the slaves, however harmless in itself, will embarrass and distress them,—and “something must be done.” Yet the brig *Criterion*, which lately sailed from Norfolk for Liberia, carried out only 46 emigrants. The lives of many very valuable and much esteemed persons of color have been sacrificed to the climate, or rather, *present condition* of the colony—so were thousands of lives sacrificed in the first settlements of the United States—and so it is in the budding up of almost every new colony—chiefly caused, perhaps, by the want of those means of subsistence and comfort which peculiar circumstances demand. The present inhabitants of Liberia enjoy good health, and are prosperous; and as better accommodations are provided for new-comers, the mortality among them will decline. A comparatively small sum of money appropriated to the improvement of the neighboring country, such as the draining or filling up of low places, might do for *Monrovia* what such things have done for *Baltimore*—once regarded as among the most unhealthy places in the union. Let the way be prepared, that humane owners of slaves shall not feel themselves checked in manumitting them, that they may have a country and a home,—and soon become men. Enough, under favorable circumstances, might be removed for a few successive years—if young females were encouraged to go,—to keep the whole colored population in check. The means of the government and people are surely equal to this, and the change would be so gradual that its effects would hardly be felt, consisting chiefly in the *advance of the whites*, and the greater spread and more liberal emancipation of the blacks; which latter has a strong tendency to diminish their number, or, at least, to prevent its increase. Some hard cases might grow out of this operation—but the present awful and severe domestic trade in slaves would be reduced in its amount, and the good far overbalance the evil attendant on the project. We cannot consent to any proceeding which shall inflict additional oppressions on the people of color—but late events will run into many new severities, unless some plan is devised to quiet the apprehensions of the whites. Regarding this subject as highly important, we intend to revive certain remarks that we made upon it twelve years ago, and discuss it at some length. We have reached a period when “something must be done,” as well to give security to the white population, as prevent the imposition of new hardships on colored persons.

HIGH-PRESSURE STATEMENT. The strange appearance of certain things presented in the article inserted below, induced me to examine the *figures* and investigate the facts set forth—and, though much used to such *anti-tariff* doings, there is a weakness and willingness of misrepresentation in them, that really surprised me—for the most powerful exertion of charity cannot admit these things to be mistakes. It is manifest that a deliberate intention existed to abuse the public mind. The statement is false even in its arithmetic, false in several other respects, and is any thing but an honest and fair exhibit of the operation of the tariff laws—and yet this paper has had a free and wide circulation through the *English*, or anti-tariff, press in the United States, being offered as “confirmation strong as proofs from holy writ,” of the rank injustice of our protecting laws; when, in truth, it is one of the best and most conclusive evidences of the benefit of the “*American System*” that we have lately met with, as we shall speedily shew. Well may we exclaim,

“O, that mine enemy had written a book!” But—like the “*New York Courier*” “*Albany Argus*” and “*New Hampshire Patriot*,” the anti-tariff press never stops to acknowledge or excuse a detected falsehood! The old saying of CORBETT is closely kept in mind—that “*a lie, a ‘wholehog’ lie is just as good as a truth, if well told, and firmly persevered in.*”

From the Charleston Commercial Advertiser.

The public have heard a good deal, in a variety of ways, touching a custom house bond, upon which payment had been refused, in order, by this means, to test the constitutionality of the tariff duties, by an appeal to the courts. A writer, who signs himself "Civis," has enlightened us somewhat upon the subject; and facts, so far as they go, have now taken the place of rumor. It appears that Messrs. E. Holmes, and Alexander Mazzyk, both members of the Charleston bar, and not merchants, as erroneously reported elsewhere, through the agency, however, of a local mercantile house, imported a bale of blue plains, by the invoice of which, it appears, according to Civis, that the duty on these plains is prohibitory, and consequently, that no revenue can be raised upon their import, the loss being such that they cannot be imported. It will also be seen, that, with a moderate duty of 15 per cent. they would have yielded a clear profit sufficient to induce merchants to import them.

The following detail of the subject, is afforded by the same writer:

Cost of one bale blue York-			
shire plains (29 in. wide)			
measuring 570½ yards at			
2s. 6d.	611.	16s.	1d.
Charges in England, viz. com-			
mission, portage, ship-			
ping charges, &c.	3	5	2

Cost in Liverpool	651.	1s.	3d.	4-6-	\$289	16
Exchange on England, 5 per cent. prem.					14	46
Interest on cost, \$1 34, freight, \$3,					4	34

Cost in Charleston exclusive of duty	\$307	96
Duty, calculated on the cost at the port of ex-		
portation, viz. 50-2-3 cents per running yard,		
or 63 cents per square yard; but costing over		
50 cents per square yard, it is reckoned,		
agreeably to the present tariff, to have cost		
\$1 per square yard, and pays a duty of 45		
per cent. on this valuation—thus 570½ yards,		
29 inches wide, equal to 459½ square yards,		
at \$1 per yard, \$459 50; 45 per cent.	206	78
thereon,		

Total cost, equal to about 90 cts. per yard,	514	74
Cost of running yard, exclusive of duty, about		
54 cents; duty per running yard, 36 per cent.		
equal to 67 per cent. on the cost including all		
charges, or 71 per cent. on the cost at the		
port of exportation.		

The foregoing was sold in Charleston at its		
market value, viz. 570½ yards at 68 cents	387	96
Loss sustained	126	80

\$514 74

For the payment of these duties, three several bonds were given—suit has been brought upon them by the district attorney, and the case will be adjudicated in September next, when the federal court is in session. We shall then know all.

Now, in the first place, 570½ yards of cloth, at 2s. 6d. is £71 6s. 3d.—not £61 16s. 1d. and the exchange on England has long been eight per cent. (or more) premium, not five. [It is now ten.]

Then £71 6 3 cost of cloth
3 5 2 charges

74 11 5 is equal to	\$331	10
Eight per cent. premium	26	48
Interest, as stated	4	34
	361	92

†The Charleston Mercury says—We learn that Mr. McDuffie has been heard from, and that he will attend at the next term of the district court of the United States to argue the case on the custom house bond. No answer has yet been received from Mr. Tazewell. [It since appears that Mr. T. having declined the practice of the law, declines an interest in this case.]

And the first cost is \$361 92—not \$307 96, as stated.

The stuff contained in the latter part of the *grand calculation* is of no manner of importance. The cloth, it seems, was sold at its "market value"—mind *the* "MARKET VALUE," or 68 cents per yard. Now, the *real cost* in Charleston, the statement being true in the *quality* and cost of the cloth, was at the rate of 65½ cents a yard, without duty, and would have yielded the importer only 4½ cents per yard profit, or no more than about seven per cent. advance, though the cloth had been smuggled, without risk or charge on account of such a proceeding! Isn't it a shame that such a statement should be laid before the public? But what is the result? Why—that the DOMESTIC MANUFACTURE of such goods has so reduced the "MARKET PRICE," that the foreign article cannot be imported, and yield a reasonable profit, FREE OF DUTY. For surely, 4½ cents advance, on 63½ cents vested in England, cannot be thought a fair profit on the importation.

Again—there is no merchant—no man of business, that would have made such an importation, the square yard duty forbidding it. These always import goods at a minimum, or a little below one. What American would be fool enough—long-eared enough, to export flour to England, when, though the price of wheat there is 50c. per quarter, equal to more than 125 cents for our bushel, (exchange included), the duty is 44s. 8d. per quarter, equal to \$5 98 on a barrel of flour? Such is the British duty. It is far more severe than our duty on cloths, even in this case made-up to "astonish the natives." With wheat at 100 cents the bushel in the U. S. flour is worth, in our sea-ports, five dollars per barrel—but the British duty is 5 dollars and 98 cents—say 120 per cent. yet on these cloths it was only 71 per cent. on the cost, as presented to shew the enormity of our laws! What sort of eyes do such men see with?—what sort of ears have they?—what kind of hearts beat within their bosoms? They have no interest in the fact, that the British tax on the great staple of two-thirds of the free cultivators of the soil in the United States, may be equal to 120 per cent. on the cost—but a patriotic indignation is roused when such tax is repelled by one of even 71 per centum on cloths. But the latter statement is *high-pressure* and FALSE.

Let us present a plain and practical view of the operation of the duty on cloths, when imported by a *business-man*. He would direct the purchase so as to come in at the minimum—say 50 cents the square yard. The duty then on 289 dollars vested in England, in cloths, instead of being 206 dollars, as stated, would have amounted to only 103 dollars, or one half less, and even at that rate the cloths would have lost money to the importer, because of the lowness of the "market price."

[The preceding was laid off for insertion last week—since then we notice an exposure of some of the errors of "Civis," in the Charleston Courier—and the writer, who signs "Fair Play," well observes—"Reckless Niles will be very much obliged to Civis for his exposition." I am so far obliged, because Civis has shewn that such cloths cannot be profitably imported free of duty; but I am mortified that such presentations should be made to deceive a highly excited and much mistaken people.]

P. S. At the moment of making-up the last sheet for the press, we received a Charleston paper containing the correction of an error in the original statement by "Civis," and the whole, at some mechanical inconvenience, was promptly laid aside, that we might have time to examine into the matter. It appears that the price of the cloth should have been 2s. 2d. and not 2s. 6d. and it is said that "Civis" had already corrected the "typographical error" in the "Mercury," which never presented itself to us in that paper, nor in any of the twenty "free trade" journals that had so eagerly copied the "high pressure" article. Some of these knew that "Falsehood travelled from Maine to Georgia while Truth was pulling on his boots," and would not, perhaps, do anything that might set as a general impeachment of the accuracy and fairness of the statement. This error being admitted, shew,

†Not being able to bear a duty of even 15 per cent. as stated by the editor of the Advertiser!

that the amount of £61 16 1, as the cost of the cloth, is correct, &c. and the account will stand thus—
Cloth and charges in England £65 1s. 3d.

equal to	\$289 16
Exchange on England, eight per cent.	26 48
	315 64
Interest on this sum, 4 months	6 30
Freight, out and home	6 00
Commissions on remittance, and sales, at Charleston, 5 per cent. on \$315	15 75
Insurance, out and home, on \$15 dollars, at 3 per cent.	9 45
	353 14

So the *real cost* of the cloths, from the first investment of the money until its return into the pocket of its owner, was \$353, or very nearly 62 cents a yard; and selling for 68 cents, the *gross market price*—the adventurer would make a *profit of six cents a yard*, the *cloths were admitted FREE OF DUTY*; supposing also that he sold for *cash*, only, losing no interest on sales! This, we take it, would be a very poor business.

But let us look further. A *revenue duty* of 20 per cent. would surely not be objected to.* It is one third less than the average of the *revenue duties* of "free trade" England. We shall add this:

Amount as before	\$353 14
20 per cent. on \$15 dollars	63 00
	416 14

And, while the *market price* of the cloth was only 68 cents—its *actual cost* would be 70½ cents, or a *real loss* on the importation of 570½ yards, of twelve dollars 84 cents, nearly.

With these facts before us, the rightfulness of which has been referred to intelligent merchants, and, we think, cannot be refuted, is not clearly manifest, that the domestic manufacture of such cloths, (or of cloths that supply the place of them) *has materially diminished the cost to consumers?* WE SEE THAT THEY WILL NOT BEAR A LOW REVENUE DUTY.

Again—as Charleston is one of the great *ulterior* markets for such cloths, it may be reasonably supposed that they sold higher there, by from one to three cents a yard, than they would have done at Boston. But we shall not make any addition to our calculation on this account.

These details have been entered into that the subject might be fairly presented. We have no idea that those most interested will examine this peaceful "nullification" of absurdities—they despise all readings, except stamped by the *goldsmith of orthodoxy*, as much as Jack Cade did, and would make them capital offences—but others will look at, and profit by these things.

The general remarks previously made—as to a *fitting of the cost of the cloth to the minimum*, so that it

*A duty of twenty per cent. seems to be the lowest rate which has yet entered the mind of the "free trade" party. The proof is at hand. Coffee is an article of very general consumption—it is chiefly obtained in exchange for our bread-stuffs, exported to the Spanish, Danish and Swedish West Indies (not the British)—for which a foreign market is badly wanted; and, as we produce no coffee in the United States, the trade is *mutually advantageous*. And besides, while it is admitted that the revenue is overflowing, we have had loud and long flourishes of trumpets about relieving the burthens of the poor—and, as a conclusive evidence of this abundance of money and abundance of sympathy, the duty on coffee was reduced to two cents per lb. Whether a real reduction in its cost has followed the reduced duty, or how much of the reduction has rather passed into the profits of the West India planters than been saved to American consumers, we shall not just now examine; but, though there was not much, if any, objection to the project of reducing the duty on coffee, and we should have been willing to take it off all together—great praise has been claimed on account of such reduction; though the duty yet levied is, at least, twenty per cent.—perhaps, twenty-five per cent. on the general cost of the article.

might shew the duty in its most offensive feature, still hold good. No *generous* mind would resort to such an *extreme case* to afford instruction to his fellow citizens—nor would any other than a *fool* import cloths at the rate given, with the hope of profit upon them. But we see that, with a revenue duty of only 20 per cent. the customary charges and allowances being made, these cloths would have brought the importers into debt. *There is some reason for this. LET THE "FREE TRADE" FOLKS TELL US WHAT IT IS! WE PRAY THAT THEY WILL!*

MR. RANDOLPH, says the New York Evening Journal, "is visiting the south of France, and has no intention of resigning his commission." We thought he had resigned; and it is not easy to believe that he will receive pay from the time when he left St. Petersburg, except for such period as might be allowed for his return home. But Mr. R. may demand it—for his notions of right are correspondent with those of no other biped; but will his year's salary be paid?

The cost of the mission to Russia is thus stated and added up in the "Boston Courier," and we suppose that it is nearly correct—if the salary and in-fit be allowed: To ordering the Concord to St. Petersburg

with Mr. Randolph	\$75,000
To Mr. Middleton's return salary	2,500
Mr. Randolph's out-fit for his 10 days mission	9,000
One year's salary	9,000
Quarter's return salary	2,500
Mr. Buchanan's out-fit	9,000
	\$107,000

ROADS, CANALS AND RAIL ROADS, in England and France:

England contains	10,600 leagues of roads.
"	" 1,500 leagues of canals.
"	" 1,200 leagues of rail roads.

France is twice as extensive & has only 1,500 leagues of roads.
600 leagues of canals.
40 leagues of rail roads.

Now all the *savings* on account of superior means of transportation in England, enter into the product, or capital, of the country, and have powerfully aided in rendering it, at once, the banking establishment and warehouse of the civilized world. Labor or time saved, is just the same, in effect, as new commodities produced. Such is internal improvement—and hence the mighty advances of England in population and wealth, notwithstanding her wasteful and profligate civil and religious government. No other than the people of England could pay the taxes and rates imposed on them—and it is by such savings that the burthens are borne.

ENCYCLOPEDIA AMERICANA. The 7th vol. of this work has just issued from the press. The new matter is very interesting; and every subsequent volume increases the good opinion which we had formed of this laborious and valuable publication. When complete, it will certainly be the best and most convenient manual for common reference extant, and with respect to a great variety of most important subjects—by which the unlearned may be instructed, and the learned, (without a waste of time), refresh their knowledge.

TWO STANDARDS FOR THE POLES have been prepared at Boston, and were exhibited to the public, with many interesting ceremonies. We have a full description of them, and of the standards. The latter are magnificent. One of them bears the inscription—"to the brave sons of Poland from the young men of Boston," with the portraits of Kosciuszko, Washington and Lafayette, &c.

KENTUCKY. Gov. Metcalf has issued his proclamation convoking the legislature on Monday, the 7th Nov.—(one month before the usual time of meeting), because that, at the last session, a senator of the United States was not appointed to fill the existing vacancy.

THE LATE STORMS. Aux Cayes is said to have contained 2,500 houses,—of which only 5 or 6 shattered ones remain! The whole site of the town was inundated—between 500 and 1,000 persons perished. The town of Jérémie has equally suffered—and no longer exists: "every thing was lost." The harvest in the neighboring parts totally destroyed—large trees having been rooted-up by the force of the wind. Port au Prince was not much injured.

The hurricane which has swept the Caribbean Sea and Gulf of Mexico with such disastrous effects, commenced at Barbadoes at 1 A. M. on the morning of the 11th; it reached St. Domingo and Cuba on the 13th, and New Orleans on the 16th and 17th, August.

Many millions of dollars, to say nothing of the loss of life, will not repair the damages sustained in the West India.

HIGH CRIME AND GREAT PENALTY. On the second Monday of this month the superior court of Gwinnett county, Ga. commenced its session, when ten white men were to be indicted for the crime of residing within the limits of the Georgia charter without taking the oath of allegiance. Penalty—not less than four years hard labor in the penitentiary. The following are their names: J. A. Thompson, F. Thompson, Thomas Gann, J. P. Wheeler, J. J. Trott, S. A. Worcester, E. Butler, S. Mayes, A. Copeland, and Edward Delosier.

EMIGRANTS. We are informed by a New York paper of the 12th inst. that 90 passengers left that city, in one vessel for Belfast—returning, we suppose, dissatisfied with the United States; but in a New York paper of the 19th—we observe, that, in one day, there arrived four vessels, which brought out more than 500 passengers from London and Liverpool.

ROBERT POTTER, one of the representatives in congress elect from N. Carolina, has been tried at Oxford, and found guilty of a wilful and cruel poisoning of "a youth of tender age," named Lewis K. Willie,—and sentenced to pay a fine of one thousand dollars, with the costs of prosecution, and to be also imprisoned six calendar months, and thereafter until such fine and costs be paid. Potter is yet to be tried for the like poisoning of the rev. Lewis Taylor, (an aged man, we believe), whom he also haltered and stabbed, as is charged, that he might accomplish his purpose. A jealousy of his wife caused these proceedings on the part of Potter; but nothing was shown on the trial to extenuate the outrage—of which Potter acknowledged himself guilty. The court expressed its doubt on a point of law, as to the measure of punishment,—else would have condemned Potter to two years imprisonment, the greatest extent that could possibly be allowed by the statute. The court house was crowded,—and the people under a great excitement against Potter.

CHIEF JUSTICE MARSHALL.—From the *Richmond Whig*.—We publish the letter of judge Marshall, declining to act on the central committee. It was an inadvertence on the part of the meeting to place him there; an inadvertence, however, which will find its apology in the reverence and affection of those who committed it. We may add also, that judge Marshall's opinions were no secret to his fellow-citizens.

Richmond, Sept. 8, 1831.

To the Editors of the Compiler.—Gentlemen: I observe with regret, in your paper of this morning, that my name is placed on the central anti-Jackson committee, appointed by the meeting held yesterday in this city.

I am at all times willing to perform any duty which my fellow-citizens may please to devolve on me, unless restrained by the opinion that propriety forbids me to undertake it. That is the fact in the present instance.

My age, my habits, which separate me from all party contests, but above all, the public office I hold, make it unfit in my opinion to enter on the duties assigned to me; and I must therefore decline it. I make this prompt declaration, because, being first named in the committee, it might be expected that I should take steps towards the commencement of its operations. Very respectfully,
your obedient servant,
J. MARSHALL.

NEW YORK CITY BANK. A part of the money which belonged to Messrs. S. and M. Allen, and stolen when this bank was robbed, was offered to them a few days since for exchange, and immediately recognized. The fellow who offered it—an Englishman named Parkinson, and a brother-in-law of Smith, (who is in the state prison for the robbery of the bank), was arrested, with Smith's wife, and another woman named Murray, all whom were fully committed—8,000 dollars were found about the persons or houses of these individuals; and a hope is indulged that the whole of the \$63,000, that was yet missing, will be speedily recovered.

A POLISH GENERAL-ESS.—The *Hamburg Correspondent* contains the following, dated Warsaw, July 7:—An eye-witness gives the following sketch of the detached Lithuanian corps of countess Plater and count Cesar Plater:—The countess is about twenty years old. Her pale and beautiful features are indicative of a romantic melancholy. Her duenna (nanny's maid) supplies the place of ad-d-camp, and is younger than her mistress. The former is the chief of the staff, and at the same time intendant-general of the corps. No corps can be better managed. Both ladies are almost worshipped by the whole corps. They are dressed as men, and are constantly among the troops. The countess has assumed the name of M. Constantine. From him the soldiers receive orders, provisions, and ammunition. Count Plater is well known at Warsaw, where he spent all last winter. He is a young man of about 21 years, of feminine features, and middling stature. When he is not engaged in military duties, he devotes his time to prayer. Both in the fields and woods, altars are erected, where a chaplain performs service, which is attended by the whole corps. Being rich, he bestows all his wealth upon his corps, and even collects considerable supplies from his numerous relations. The corps consists of cavalry and infantry.

COUNT DE LEON and retinue, consisting of forty-five persons, from Germany, arrived last evening, in the North America, and took lodgings at Bradstreet's mansion house. The count, we understand, is emigrating to the west, and will remain a few days in this city.

[*Albany Ev. Journal.*]

The count is from Belgium. The *Albany Daily Advertiser* says, it is his intention to purchase a tract of land near Pittsburg, upon which he and his dependents will locate. After he has purchased a tract, about two thousand persons from Belgium will leave their homes, and come to this country to settle on the count's estate.

The count is said to be worth about five millions of dollars, and his arrival may be hailed as most interesting to the prosperity of our western land, which will benefit to a great degree from his enterprise.

CUSTOM HOUSE BOND. We are informed that Mr. Tazewell, who was invited to argue this cause, has repined in a very polite and kind letter regretting that he is unable to come, although his aid would cheerfully have been afforded to the cause if he could have come on at this time, and could have consented again to appear at the bar, after having for many years relinquished the practice of his profession. [*Charleston Mercury.*]

THE CHOLERA MORBUS.—The following terrific account of the progress of this disease at St. Petersburg, was believed at London to be far short of its actual operations:—

From the 28th to the 30th June there had been at Petersburg upwards of 50 cases, and 30 deaths—more than 15 deaths a day. From the 30th of June to the 6th of July there were 596 cases, and 279 deaths, averaging from the 30th of June to the 6th of July, 55 deaths a day. From the 6th to the 13th there had been 3,645 cases, and 1,518 deaths; average of deaths between those dates, 216 a day. From the 13th to the 15th of July, the last report of Sir Daniel Bailey, the Russian consul-general, there had been 4,916 cases, and 2,290 deaths, averaging, in those last two days, 1124 deaths a day. Such is the frightful mortality prevailing which, if it continues with the same virulence, and, to increase as it has done, must,

with the immense population of St. Petersburg, carry off some tens of thousands.

"Letters from Memel of the 19th July, contain no news of importance. The cholera had not reached Memel, nor Königsberg, on the 22d. At Danzig there had been about 750 cases of the cholera, of which 560 had died, and the disease was spreading through the neighboring villages. The Prussian government, it appears, does not stop provisions destined for the Polish army."

The disease was prevailing pretty much in like manner at Archangel, Riga, &c. &c.

Subsequent accounts inform us that the cholera was declining at St. Petersburg. The cases were much less numerous, and of a milder character. Such appears to have been the progress of this disease. Its onset is awful—but its violence appears soon to be exhausted.

NUNS. *Port Tobacco, Maryland, Sept. 17.* The nuns of Mount Carmel, of this neighborhood, twenty-four in number, took their departure on the 13th inst. for Baltimore, after a residence among us of upwards of forty years. They are the oldest order, and of the oldest standing in the United States. Having established themselves here a few years after the American independence, and during the troubles on the continent of Europe.—Their old convent is situated about two miles from this place, and was under a different regulation and discipline from any similar institution in the country. They live entirely secluded from the world, and have many *devotions and deprivations* not in use in other nunneries. They are going to Baltimore to rid themselves of the charge of a large farm, a number of slaves, and to shelter themselves from the inclemency of the weather. Their present convent being built of wood, is now in a state of decay and dilapidation. They are of the order of "Mendicant Carmelites" of the reform of St. Teresa. The original founders of the institution came from the English convent at Antwerp, and have died here within the last two or three years.

[These nuns have taken up their residence in a new and large building prepared for them in Baltimore.]

SUBMARINE EXPLOSION. A very extraordinary phenomenon occurred in sight of the ship *Crawford*, capt. Goull, on the passage from Trieste to New York. The first officer of the ship states, that on the 9th of July, at 9 o'clock in the evening, he had charge of the vessel, with orders to keep a look out for the island of Meretto, and about daylight he saw something like a mountain on the larboard bow, ascending in the air to the height of 200 or 300 feet, perfectly black, and disappearing at intervals. Hauled upon the wind immediately to the northward, in order to get out of the range of the explosion; and two brigs astern, one the *Asia*, of London, immediately followed the *Crawford*. Reports as loud as thunder followed each other in quick succession; jets of the sea were thrown up to an immense height; the ship rolled as if in a storm, and the ocean was white with foam. At this time it was calculated they were in 3 or 400 fathoms of water, and about 16 miles from Sicily. In ten minutes more, had the ship kept on her course, she would have been swept into the vortex of the volcano, carried, probably, to an immense height, and then engulfed forever in the abyss below. The alarm on board the vessel is said to have been very great.

[N. Y. Courier.]

LIBERIA. The following further particulars respecting the colony of Liberia, are from a late number of the *Paris Revue Encyclopedique*:—The colony extends 150 miles on the sea coast and 20 or 30 miles into the interior. Its chief city, *Monrovia*, has 90 houses and stores, 3 churches and 700 inhabitants; it is built on Cape Mesurado, 70 feet higher than the sea. Its harbor is formed by the river of Montserrat; 7 miles north is the river St. Paul. On this is the colony of Caldwell, which is flourishing. Between Caldwell and Monrovia is a settlement of 30 families. On the bay of Stockton live 300 Africans taken from slave ships; 25 miles north east of of Monrovia is Millsburg, containing 200 inhabitants.

The form of their government is strictly republican. Three documents contain the civil and political legislation of Liberia. 1st. Grants rights as in the U. States—slavery is prohibited—and the common law of the U.

States established. The 2d regulates the civil forms of the government—censors are appointed to guard the public morals, to report the idle and all who would injure the prosperity of the colony. The third is a code of procedure and punishments, extracted from digests of the U. S. laws. The executive authority is the agent, who exercises the functions of governor, and two judges who assemble monthly; most trials are for theft; all judgments are by the voice of a jury with great formality. A public library is established at Monrovia.

FOREIGN ARTICLES.

An arrival at Boston brought London papers to the 5th August. The leading things were these—

The "war party" having succeeded in obtaining a majority in the French chamber of deputies, Mr. Perrier, and the rest of the ministers, resigned—and the king charged count Mole with the formation of a new ministry. Paris remained tranquil, and the king was zealous in attention to business.

On the 1st of August, the prince of Orange announced himself at the head of his father's army, for offensive operations against Belgium. At the same time a Dutch fleet arrived in the Scheldt. Leopold, who was at Laege, hastened towards Antwerp, at which the people were in great alarm. Some fighting ensued, and it was reported that the Dutch had taken possession of Venloo. The belief was general that Prussia had agreed to support Holland, and hence a general war was expected, in England and France.

Very little intelligence had arrived from Poland. It is stated that the Russian grand army, 60,000 strong, had crossed the Vistula—that the Polish general Dembiski and his army had been made prisoners in Lithuania—that the Poles, at Warsaw, had made every preparation for a gallant stand. Next it is said, that the Russians had retired, re-crossing the Vistula, and would not risk the issue of a general battle!

Algers was said to be closely invested by the Arabs—collected in great numbers, and a great battle with them was immediately expected.

Accounts from Russia say that the emperor was in a dangerous state of health—and that his disease was looked for.

The British house of commons was proceeding slowly, but steadily, through the reform bill. Three of the four schedules has been passed on. The ministers maintained a large majority.

The annuity of the dutchess of Kent has been increased £10,000, say 45,000 dollars, because her daughter, the princess Victoria, is 12 months older than she was last year, though still a little girl. The young queen of Portugal is countenanced by the British and French courts.

The British stocks had fallen $\frac{1}{4}$ per cent. because of war news from the continent, the change of the French ministry, &c.

Ireland was much disturbed. There was much movement among the troops of Spain—pushing to the French and Portuguese frontiers.

Very late news.

By several arrivals at New York, files of London and Paris papers to the 16th August have been received.

On the report that the Dutch had attacked the Belgians, a French army (amidst the cheers of the people), immediately marched towards Belgium—50,000 strong; and the British ordered the squadron at the Downs to be ready for instant action—the two powers having resolved to "command the peace." Some further fighting had taken place between the Dutch and Belgians. A French general had been directed to tell the Dutch commander, that all public and private property at Antwerp was under the protection of the French king! On these and other movements being made—the king of Holland consented to withdraw his troops from Belgium, and so the speck of war was dissolved—for the present. The French troops had reached Brussels, but would retire within their own limits. Leopold is said to have shown much energy and coolness of mind—but the Belgians are reported as behaving in a cowardly manner before the Dutch, who arrived within eight miles of Brussels. At this point of time the Belgic troops fled—and a detachment of the French army entered the capital, headed by

the dukes of Orleans and Nemours. They were received with great enthusiasm. The Dutch were told that they must cease offensive operations. The Belgians complain much of the severe mode of warfare which the Dutch had so far pursued, in sacking and burning villages and farm houses, &c. The French army will be so located as to keep a close watch over the Dutch. Gen. Gerard, commands the French—the duke of Orleans a brigade, and the duke of Nemours a regiment of lancers.

From Poland we learn that a Russian detachment had been defeated by gen. Muhlborg—that Warsaw was deemed impregnable—being defended by a large army, and 270 pieces of cannon. An investigation into the conduct of Schryznecki had been had, and resulted to his honor—which gave increased strength to the Poles. The Lithuanians and Volhynians were actively carrying on the war against Russia. The Poles were filled with the best hopes. The Russians were inactive or retiring—for causes not assigned. They had suffered several small losses.

There was much agitation in the French chamber of deputies on the 15th August. It is called an "afflicting spectacle"—particulars not yet received.

The army of Holland is estimated at 100,000 men—of Belgium only 40,000. Hence Leopold's earnest call on France and England for their interference.

The French ministers who had resigned, on the emergency of the news from Belgium, still acted—and it was thought that the energy displayed by them in forwarding the troops, might afford that additional support in the chamber of deputies which they had desired.

The king of Holland has lost Batavia, the capital of the island of Java, in the East Indies, which was at all times considered a most important colony of Holland. It has declared for Belgium, and it was thought, would lead to the defection of the whole island. This is another enemy which his majesty may add to his already large list. He certainly has been singularly successful in provoking the hostility and exciting the contempt of mankind.

The following, under date of Brussels, Aug. 12, shews, that, except because of the arrival of the French, the capital of the new king of the Belgians would easily have fallen into the hands of the king of Holland.—"This city was in a most dreadful state of agitation this morning. The Dutch having advanced within eight miles of Brussels, the drums at an early hour beat to arms, and the inhabitants were flying in every direction. It appears that this morning about two o'clock, the Dutch formed themselves in line for battle, and at four o'clock attacked the Belgic army near Louvain. The Dutch opened upon them in three columns, and commenced firing in every direction; the Belgians instantly took to flight, and the greatest disorder reigned amongst them; they threw away their arms and caps, and tried to outdo each other in running; by six o'clock the field of battle was clear, and the Dutch masters of the whole of Belgium; the greater part of the Belgic army threw themselves into Louvain. I do not believe there has been many either killed or wounded! Their conduct is disgraceful, yet one is almost inclined to pity them; they have but few officers, and those they have were the first to fly. Had they not been in the habit of bragging most intolerably, and setting the whole of Europe at defiance, they would doubtless have received assistance; but they spurned the Dutch, and brow beat every other nation. I think the peace of Europe more likely to be preserved now than it would have been had the Belgians been victorious."

It seems Schryznecki kept his counsels so close, that the people became uneasy—on which some of the chiefs of the Poles were delegated to hold a confidential communication with him. To these he developed his plans, and they separated full of hope. There is danger in such proceedings—for among those most relied on, traitors may be found.

There are new disturbances in Italy. More than three persons are forbidden to appear together in the streets of Rome! Many new arrests had been made.

All accounts agree in stating, that the Belgians, when about to meet the Hollanders, behaved in the most shameful manner—running away, and leaving every thing behind them. The Dutch shewed much resolution and steadiness.

Berlin, Aug. 1. It is now ascertained to a certainty, that field marshal Paskewitch has instructions to negotiate with Poland. It would seem also as if the negotiations were to take place under the walls of Warsaw. It is said that the Poles will be required to repeal their decrees of exclusion against the house of Romanoff; and that they will be allowed to choose from their nation, a viceroy, Czar, Tzarisky, or Radzivil.

Brussels, Aug. 8. Sir: his majesty directs me to announce to you that he this instant has received intelligence by the way of England, that the troops stationed at the island of Java have revolted, the Belgians, being more numerous than the other Europeans, have possessed themselves of authority and established a government in the name of the Belgic nation, the whole island has submitted to this government. The king requests you to send an agent to Batavia immediately.

The minister of war, *par interim*,
CONSTANT D'HANE.

To M. Lebeau, minister at Louvain.

In China there has been an extensive rebellion—the chief seat of it was at Cashgar, in the north. The imperial troops had gained some important advantages, and the emperor had ordered 4,700 camels to transport materials over the desert of Cobi, that the war might be ended. Many pirates have lately been executed at Canton—but the cutting-off of heads there excites no attention.

Manilla. The imports at Manilla in 1830, amounted in value, to \$1,562,522, besides \$178,063 in specie. This was done by means of 57 Spanish vessels, and 73 foreign. Exports, \$1,497,621, and \$81,952 in specie, in 57 Spanish vessels, and 74 foreign. Of the foreign vessels, 29 were American, 22 English, 8 French, 4 Dutch, 3 Portuguese, 5 Chinese junks, &c. Revenue from the customs, \$228,061.

LETTER FROM SCHRZYNECKI TO GEN. LA FAYETTE.

We translate from a Paris paper of July 22nd, the following letter from the Polish commander-in-chief to gen. Lafayette.

MY DEAR GENERAL:—With what pleasure should I have sooner replied to the flattering letter which you did me the honor to address me on the 21st of April.

I received it, however, after a long delay. I lose not a moment in returning my thanks and expressing the great gratification it affords me to be so happy as to receive in this manner the favorable regard of the veteran of liberty in two worlds—of a person so eminent, whose constancy has been superior to all vicissitudes, whose character has been preserved equally grand in the dungeon of Olmutz and at the head of armies;—the distinguished citizen, in fine, who has exhibited to the world so rare an example of undeviating fidelity of principle, and disinterested regard for his fellow men!

This, indeed, is one of the most grateful recompenses to which I could aspire!

You are already aware of the success that attended our efforts to throw some succors into Lithuania. On the return from that expedition, I was attacked in the neighborhood of Ostrolenka by the Russians, in great force. The combat was obstinate and at last degenerated into carnage. The Russian commander, however, in spite of every thing alleged to the contrary, was not able to prevent the object I had in view. Thus we have, up to the present date, been enabled successfully to maintain our anxious struggle against so great odds, and confident in the enthusiasm of our countrymen, and strong in the valor of our army, we will yet sustain the cause, being persuaded that the moment approaches when constitutional governments will shew less apathy concerning the outrages on public opinion, which have been committed. We think they will interpose for our noble Poland, on which, perhaps, yet depends the safety of Europe, itself. May the prayers, my dear general, that you and so many other friends of humanity put up in our behalf, be successful! And deign to receive with kindness, the respectful assurance of the profound esteem and attachment with which I am, &c.

SCHRZYNECKI

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 5—Vol. V.

BALTIMORE, OCT. 1, 1831.

[Vol. XLI. Whole No. 1,048.]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY R. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The present number makes a sheet and a half—which, together with the free use of a close type, contains about as much matter as is commonly to be found in about eighty octavo pages—and besides, the articles are more than usually interesting. Still, our files are not much relieved—enough matter remaining prepared, or laid aside for a prompt insertion, to fill two sheets more! And besides, the general anti-masonic convention was held in Baltimore this week, with the general anti-tariff or “free trade” convention at Philadelphia—the proceedings of both which will occupy a large space; probably enough to fill not less than three sheets—yet further, other long statements pertaining to the great “controversy” between the late “dignitaries” of the nation, may be speedily expected,—and the extensive report on the condition of the bank of the United States, an important public paper, remains on hands and there are pretty nearly enough articles in manuscript to fill two sheets! Few persons can apprehend the difficulties that beset us, on such occasions,—or make rightful allowances, for insertions or omissions; but we do the best that we can to please all, whilst well-knowing that *all* cannot be pleased; and are resolved (as at present supported, and in the hope of yet increase) strength from new subscriptions) that the REGISTER shall have no parallel, at least, no superior, as a book of record, in this or any other country—† and render it, if possible, indispensably necessary to the library of every political economist or enlarged politician, in the *quality* and *quantity* of its contents, as well as useful to every class of the community by reason of its multitudinous facts, published and preserved. And we take the present occasion to say, that every article, so far as practicable, is copied from *official* or *original* publications, that errors may be avoided. No one, perhaps, has an idea of the amount of *omissions* which are thus prevented. As an example,—one of the most correct and faithful publishers in the United States, recently left out as much as made half a page of this work of Mr. Crawford’s address to the public—and so was the address published in many other papers, copying from the one just alluded to. We make many errors, though steadily on the watch to prevent them—and such are among the means used.

☞ A great meeting—(the large room in the Musical Fund Hall being full) was held at Philadelphia on the 26th Sept. Joseph Hemphill, chairman, and Matthew Carey and Robert Wain, secretaries, at which, (after the passage of some excellent resolutions) thirty-two gentlemen were appointed delegates to the general convention of agriculturists, mechanics and manufacturers to be held at New York on the 26th inst., to favor the protection of American industry, and suggest such measures as may be thought expedient to secure the home market for domestic producers.

☞ An adjourned meeting was called in Baltimore on Tuesday evening last, to which delegates to attend the convention at Philadelphia—but a very large majority of those present were not favorable to the object, and passed resolutions approbatory of a protecting tariff! The minority, however, 14 or 15 persons, all told, withdrew—and, in retirement, appointed 12 delegates to the “free trade” convention.†

* And also for its *cheapness* in price, the amount of reading matter being considerable.

† We learn that a public meeting will soon be held in Baltimore, for the appointment of delegates to the general convention to be held at New York, in support of the “American System.” The “free trade” gentlemen at their first meeting were six in number, at the adjourned meeting 15—total 21, including duplicates!

Vol. XLI.—No. 6.

The proceedings of an anti-tariff meeting at Wilmington, N. C. (at which two delegates were appointed to the Philadelphia convention), fill two columns of the “Cape Fear Recorder.” This meeting consisted of sixteen persons, reported to us as follows—3 probable “nullifiers,” 8 anti-tariff men, and 5 friends of the “American System.”

If we had room we should gladly give a full account of all the things above mentioned—but it must be, at least, deferred.

☞ The fourth annual fair of the AMERICAN INSTITUTE will be held at the Masonic Hall, in the city of New York, on the 11th, 12th and 13th October, when premiums of medals and honorary diplomas will be awarded for such articles exhibited, of a domestic growth, as shall be deemed, on account of their excellence, or superiority, entitled to the same.

Artists, manufacturers and others are invited to record the laudable object of the institute, by forwarding, in due season, specimens of their labor and skill in the various departments of their industry. It is believed that the exhibition will be a very large and splendid one.

☞ The letter from Mr. Monroe, concerning the bank of the United States, see page 82, claims a high consideration, for many reasons: and especially, for the active part that he took in the revolution—in discussing the constitution, and his long and faithful services to his country in the most lofty and important stations that the government or people could confer—embracing an entire period of almost fifty years! No man had more full or better opportunities to judge correctly of the principle and operation of the bank of the United States, than Mr. Monroe; and he was also of the original *survey* construction school—jealous of every approach towards consolidation, or an infringement of the “rights of the states.” Of nearly all men, he least required a *hocus-focus* operation to make him a republican, “dyed in the wool,” though he had successively encountered the opposition of the “Richmond junta” and the “Albany regency,” what was democracy with one sometimes being *federation* with the other—each declaring itself the *real* “Simon Pure.” From the position in which Mr. Monroe was placed during the war, and as president of the United States soon after the restoration of peace, his opinions derive much importance from *experience*. The difficulties that beset Mr. Madison’s administration in 1813-14 are matters of history, and cannot be effaced by any movement of transient parties. No one was better acquainted with the *means* and the *wants* of the government and people of the United States than he—not with the rights and duties which belonged to both. And hence his remarks, like the voice of a venerated father from the grave, appeal powerfully to the reason of the American family. Every part of his plain, but strong, communication is worthy of closest attention; but we like that part most wherein he takes a rock-based stand against what we have regarded as the most dangerous political project ever yet concocted in the laboratory of “malignant” magicians, to secure the subservency of the people of the United States. We mean a *treasury-bank*, that private interests may be meshed in the net of any “combination” of profligate demagogues, having command over it. With the “retiracy” of its reputed au-

* Instances—in the case of Madison against Clinton in 1812, and Monroe against Crawford in 1815-16. In 1824 the high-contracting parties joined issue in favor of Crawford against Adams, Jackson, Clay and Calhoun; but slid together in the support of Jackson in 1828, though he was most objectionable to both in 1824.

thor, it is to be hoped that the project itself will be retired—that things will be allowed to take their regular and natural course in congress, without executive interference—and that the president will not again tender his veto in advance, concerning a subject, which, probably, will not be decided during the term of office for which he has been elected. We hope that the "Richmond Enquirer" will cease to "pity" Mr. Madison; that the "Albany Argus" will not inscribe "federalist" on the tomb of Mr. Monroe, by way of reproach—the latter gentleman having been, in the strict and veritable meaning of the term, an "anti-federalist" nor the "hon-est" and honorable New Hampshire Patriot denounce him as having been as the "great gun of the federal party" and rejoice in his death, as an enemy of the democratic party.

The editor seems to be slowly regaining his former firm health,—and, among other things, expects to make some free remarks on certain publications in the "Albany Argus," and other journals, relative to the present bank of the United States, and the wild substitute that was proposed for it. But in having given up his opposition to the bank on constitutional grounds, and for reasons assigned—it must not be presumed to follow that he thinks it expedient to renew the charter of the bank, just as at present established. In the discussion of that point, he intends to take a part when the season for it arrives—his present chief purpose being to resist and expose a TREASURY BANK, should the project still be entertained, as, for foul political purposes, it seems that it may be.

¶ We have prepared what may be regarded as something like a history of the late insurrectionary movements among the slaves in North Carolina, with some accounts of the effects of them,—but it must be postponed. And so must, also, the account of a succession of dreadful riots at Providence, R. I. originating in the attack of some sailors on the houses of certain persons of color of dissolute character, in which one of the sailors was killed and others wounded, by discharges of fire arms, from the negroes. For several successive days and nights the town was in a terrible tumult—a great multitude of persons being resolved to avenge the killing of the seaman, and destroy all the dwellings occupied by such negroes, which they effected to the pulling down of about 15 houses. The military was called out, and, loath to fire on the mob, was one night driven back, suffering much from stones and other missiles; but on the next night, they fired upon the crowd, and five were killed and four wounded—after which the mob dispersed. Among others, the high-sheriff received a severe blow on the breast from a large stone. The civil and military authorities appear to have acted with all possible moderation, consistent with a preservation of the majesty of the law. A full statement of the affair from the Providence "Journal" shall be presented.

¶ We have a copy of a very long and highly interesting article from the "London Spectator," entitled "an anatomy of taxation." It presents a magnificent commentary on British notions about "Free Trade" and must have a place.

THE ANTI-MASONIC CONVENTION, to nominate a president and vice president of the United States, met in this city on Monday last. A notice of its proceedings, so far as published, will be found in another part of this sheet, and we shall give the remainder at full length, with promptitude, when furnished.

We also insert a correspondence between a committee of the anti-masons in Massachusetts and gov. Lincoln; which will not fail to interest numerous readers.

On neither of these shall we make any remarks that can lead into a general discussion, or the free insertion of speculative articles relating to a subject about which so much has been, and will be, said—and for this great reason, that the field of the Register is already so large that we cannot manage it without great exertion and much extra expense. We did intend to have inserted Mr. Rush's first letter; but that would have begotten the necessity of giving Mr. Miner's reply; we also had off an exposition concerning the same subject by Mr.

Adams, late president of the United States, and had we inserted that, should have been compelled to give the late and severe replication of Mr. Sheppard, certain of whose statements Mr. A. had impeached, and go through with this new controversy; one thing begetting another without seeming end—utterly driving us from the ground we have so long occupied, and monopolizing the contents of our pages with matter of a new character and cast. We cannot attempt to enlarge the field that we occupy. It is one of the most severe and unpleasant of our duties to decide what may be excluded or postponed—and the record-articles must have their old established precedence. This statement, however, is not intended to shut our pages against all such articles of a masonic or anti-masonic aspect as appear necessary to the public intelligence, because of facts stated in them; and we are desirous that a brief history of events should be registered for future instruction.

INDIANA. As the political character of this state is surely not now to be influenced by any remark made by us—and, as we are altogether ignorant of the names of the gentlemen contemplated to fill the vacancy in the senate of the United States—it may not be thought obtrusive to express a wish that our old friend, Judge Test, may receive that important appointment. To the great interests of our property and commerce, and also "American System," there is not a more resolute friend than he is, and few that are better posted-up as to the facts which pertain to these interests—for he has one of those enquiring and persevering minds that will not be satisfied with any thing short of a clear understanding of any subject to which its force may be directed. Mr. Test is not a brilliant man, nor an elegant speaker; but he is better than either—a sound practical man, a real working-man—one of the most industrious that ever was in congress; and, by judicious friends or opponents, we know that he has been respected as one of the most regular and faithful of the members to the business and duties of a representative of the people. There are few of this class of persons in congress, and their example is precious. Their punctual attention to duty has a powerful effect on others, less disposed to labor; and the business of a member of congress is really laborious, if zealously performed. There are hardly thirty real working-men in congress; and the most of these make less "noise in the papers" than some whose not much better than machines to say aye and no—doing nothing but talk; making long speeches to "beggarly accounts of empty" benches. Those who never have had a near view of congress cannot easily believe that many of the loudest and biggest speakers hardly obtain one person to hear them, unless some half-sleeping stranger in the gallery, who know not how else to dispose of his time.

ELECTIONS. The returns of the elections in Vermont shew that Mr. Palmer, anti-masonic, received 12,168 votes for governor, Mr. Allen, nat. rep. 11,250, and Mr. Meech, Jackson, 5,328; and in the congressional district lately represented by Mr. Mallory, Mr. Slade anti-masonic, had 4,614 votes, Mr. Williams, nat. rep. 3,815, Mr. White, (Jackson) 838, and 144 scattering. A third trial to elect a member must be had.

The latest return from Maine, (not yet perfect) gives 27,414 votes for Smith, (Jackson) and 21,401 for Goodenow, (anti) as governor of the state. The same counties and towns last year gave 29,091 for Smith, and Mr. Huntoon, his opponent, 27,653—shewing a great falling off of votes, in respect to the latter party.

"NEGRO COLLEGE." The proceedings had at New Haven, in relation to a project to establish a college in that city for the education of colored persons, obtains uncommon interest because of recent events. The acts of the mayor and citizens of New Haven will speak for themselves; but a due regard to that impartiality for which we declare that our course may be distinguished, has induced us to give the remarks of S. E. Cornish, though altogether opposed to the institution which it is contemplated to establish.

From early life, the writer of this has been an ardent friend of emancipation, and truly zealous to improve the condition of the people of color. That certain might be

rescued from unlawful bondage, he has expended much time and some money, and more than once encountered considerable degree of personal hazard—being generally inclined to take sides with the weaker party. He has also frequently contributed to assist in the education of free colored persons, and hundreds of times stood forward as the friend of such, in their emergencies—when a deed or a word in their favor was much needed; and he has the pleasure to bear testimony in behalf of the probity of many of those whom he has endeavored to serve—but yet is opposed to the projected college, not more because of the ground taken by the citizens of New Haven, than from a settled belief that any thing beyond a plain education—a knowledge of reading and writing, and of the elementary rules of arithmetic, must prove injurious to persons of color, in the present, and, (he fears), *irremediable* state of society in our country; even in those parts of the union most favorable to the subjects of this notice. For they are every where a *separated and excluded class*, and no merit in themselves, however exalted, can relieve them of their condition. The rudest and most ignorant white persons who come among us, in a short period of time, at farthest in a generation, may be reformed, as it were, from the lowest caste, by good conduct; but these, and simply because of the color of their skin, are shut out from those associations which chiefly embellish and adorn and advance human nature and life, by the force of their good conduct, leave their own grade, they stand like isolated beings, and their immediate descendants generally slide back to the class from whence they proceeded. Such is the effect of the prejudice, habits and feelings of the white population, composing so large a majority of the inhabitants of the United States, even in those sections wherein it would seem most likely that such associations might be allowed as would tend to a reduction of such prejudice and feeling, and permit those *amalgamations* which first soften, and then totally banish, those great distinctions which naturally exist between accomplished and highly civilized persons, and mere animals, (such as the slaves of Russia), which have the form of men, but without any natural or insuperable obstruction to their advancement—though the latter, because of their ignorance and *former want of motive* to acquire knowledge and practice virtue, may be ever so far behind the free blacks, generally, in a correct understanding of their rights and duties.

During the last summer, I fell-in with the family of a colored gentleman of a neighboring city, as much respected for his private worth and correct conduct as any other individual; and it so happened, that I had an opportunity to converse with these persons—two well dressed and intelligent young women and two young men. The manners and deportment of the whole were modest and entirely correct; and, except because of their complexion—(supported by the private reputation and personal independence of their father), might have entered a high grade of society with approbation; but it seemed to me—that, while their intellectual advancement, or genteel deportment, rendered them but small service *out* of their class, it unfitted them for ordinary associations with those among whom they were *condemned* to remain; and it was hard to determine whether pleasure or pain prevailed in my mind, while I contemplated this interesting family. But I certainly desired they might be so placed, that their improvement should not be in vain. It was evident—though I observed no personal disrespect shown to them (but *cruelly* alone could have extended it)—that they felt themselves restrained and unhappy, because, that in the steam boat or stage, they were cast into collisions with individuals, who, they feared, might be offended by their presence, however harmlessly they conducted themselves. And, on the whole, I came to the melancholy conclusion, that the *happiness* of these young people had been rather diminished, than increased, because of the particular advantages which they possessed. Perhaps, I formed a very erroneous judgment—but with these views of the subject, which *forced* themselves upon me, however unwilling I was to entertain them, it would appear that the establishment of a college, like that proposed at New Haven, would be inexpedient on several accounts—and especially, for the reason that it would unfit its inmates for association with persons of their own color, without doing any thing to relieve them

of their caste, in the United States. These people have the same natural and unalienable right of residence, that any of us can claim for ourselves—there is no power that can justly expel them because of their complexion; the law might as well define the color of men's eyes as that of their skins, for preference or proscription but so it is, that such discriminatory laws, on the plea, if not ground of *necessity*, prevail in all places where negro slavery exists; and it has a *moral power*, nearly equal to the force of statute law, in every part of our country—though slavery never has existed, or has long been abolished, in several of the states. However beautiful may be the *theory*—we cannot exclude the facts from consideration, that a barrier is placed between the white and colored population which NEITHER CAN PASS. We may easily agree that this should not be so. BUT IT IS SO. The wildest declaimer in favor of the rights of the blacks, will not give his daughter in marriage to one of them, that she may raise up colored grand children for him. These things should give another direction to the good will that we have towards colored persons, and teach the latter to forward it. We disclaim all idea of *force*, as applicable to a removal of the free blacks—but surely, much may be done, if suggested and prosecuted in a mild and sufficient spirit, to induce them to seek a *new home*—where virtue and talent may command and receive that degree of respect which belongs to them. As a preparatory step, let a liberal appropriation be made by congress to improve and defend the present colony in Africa—or, if that be unhealthy, to provide a new and better location, elsewhere—that those willing to emigrate may do so under favorable circumstances. If safety should attend the establishment for a few years—it would do its own work, without much aid or interference from either the government or people of the United States, except by way of encouragement and occasional support—and gather strength as it proceeded. The success of a few worthy people of color would draw thousands to them—and these attract others, until, through the increased facilities of navigation and commerce, (the fruit of a prosperous industry), a new nation of intelligent freemen might be established, willing and capable of regarding the rights of others and defending their own. While these things were in progress, we should heartily rejoice in the liberal education of young persons of color—for then they would have an opportunity to obtain rank unimpeded by prejudice, and confer the benefits of their knowledge on others, for the common good of mankind. But at present—the public funds or private means of benevolent persons, should, in our opinion, be directed to the single object of providing or preparing an asylum for free persons of color; and we hope that, in the emergency of the occasion, our southern fellow citizens may review their constitutional scruples, and take hold with the people of the north to relieve the United States of a class of its population which is, at once, the disgrace and regret of every enlightened freeman. It will require many years of success to accomplish the great work, and the right of property, as acknowledged in slaves, cannot be disturbed—but it will be pleasant, indeed, and glorious, to look forward to the time when this fair republic shall be inhabited by a homogeneous people, having no adverse interests or disputed rights, to agitate and convulse the public mind or endanger the public safety. The general decrease of white persons, and increase of blacks, in the lower country of the southern states, has a fearful aspect—and “something must be done,” to prevent a calamity to which it is manifest we are rapidly approaching. It is of no use that we shut our eyes—the sun shines whether we observe it or not, and time flies though we take no note of its passage; and the event, which all men believe will come, must come, unless prevented by an energy suited to a crisis so important.

MAJOR BIDDLE. It is mournful to reflect, that this gentleman, who, as well as Mr. Pettis, was lately killed in the terrible duel which they fought at St. Louis, was one of the most gallant and accomplished officers in the army of the United States during the late war—a great favorite with the generals commanding on the Canada frontier—always among the first to commence and the last to retire from battle. The despatches of generals

Lewis, Scott, &c. made frequent, and always honorable, mention of him.

MR. THOMAS RITCHIE. In March 1830, the Richmond Enquirer, in referring to the dissolved unit, whose recreant members are now denounced in no measured terms in its columns, enthusiastically exclaimed:

"Never has a president, since Jefferson, been surrounded by such able counsellors, as our present venerable chief magistrate."

The same paper, in August, 1831, (last month only) referring to the present cabinet, can find no other measure of its excellence, than that applied to its immediate predecessors. Look here—

"The present cabinet is the ablest that has been formed since the administration of Mr. Jefferson."

The preceding is copied from the New York American—we add what follows:

A day or two before Mr. Ingham resigned—(as the "eagle of Bagdad" went into "retirement," but obtaining a certificate of good conduct in office), Mr. Thomas Ritchie trusted that Mr. Ingham would "neither be removed nor retire, without good cause, independently of *any* considerations." [See last volume, page 213]. And on the very day of Mr. Ingham's resignation, Mr. Thomas Ritchie pronounced (see page 165) the story about the president's intending to remove Mr. Ingham to be utterly false."

In his paper of the 3rd May, Mr. Thomas Ritchie, speaking of the dissolution of the cabinet, (see last vol. page 178), said—

"No pains too, are spared—no insidious insinuation is wanting, to rouse the suspicions and resentments of Messrs. Branch and Ingham—and eventually, should the opposition succeed in this design, appeals will be made to the state pride of North Carolina and Pennsylvania!—But it is not possible, that this insidious (again!) plan can succeed. Mr. Branch and Mr. Ingham will see through it, and will despise it."†

And what has he not said since, to disparage the character and services of Messrs. Ingham and Branch!

Another instance of Mr. Thomas Ritchie's consistency. In the "Enquirer" of the 3rd of May, he said—"Their [the opposition] great plan of sowing the seeds of strife between the friends of Calhoun and Van Buren is broken up [!].—Van Buren has withdrawn to retirement; perhaps is going across the Atlantic! (That is, a "retirement" from the office of secretary of state to that of minister to England!) And a few days after, between the 3rd and 16th May, Mr. Thomas Ritchie speaking of Mr. Van Buren, said—"we hope he is now going into private life," &c. What has he said of the disappointment of his "hope"—how reconciled that with his announcement that Mr. Van Buren would "perhaps cross the Atlantic?"

But friend Thomas will always be on what seems the strongest side—if it permitted; and, by his adroitness, renders curses into blessings, or blessings into curses, or remove and create misadventures by newly-nibbling his pen. Had Mr. Adams extended his hand to friend Thomas—he would have kissed it respectfully, and never thought of "light-houses in the skies!"

COUNT DE LEON, mentioned in our last, it is said, in the "Albany Advertiser," has brought with him from five to seven millions of dollars—"a sum sufficient to turn the balance of exchange with Europe in favor of the United States;" and yet exchange has just had a sudden rise, and is now at from 10½ to 11 per cent. advance, or about two per cent. above the true par;—our value, placed on silver, being measured by the British standard which is gold. This has caused a brisk and very injurious demand for dollars—to be shipped off. "We shall see."

THE CUSTOM HOUSE BOND AT CHARLESTON. The attempt to avoid the payment of a certain bond due at the Charleston custom house, because of the unconstitutionality of the tariff laws, has, of course, failed before the court and jury. Particulars hereafter.

* Denied by Mr. R.

† Insidious insinuations!

‡ That is, they will see through the insidious insinuations of insinulators!

"A FLOURISH OF TRUMPETS." From the Charleston Mercury Sept. 19th. Our distinguished fellow citizen, the hon. Geo. McDuffie, arrived in this city on Saturday evening last. He attends as counsel for Messrs. Maszyk and Holmes, in the case of the custom house bond, which those gentlemen refused to pay for the purpose of testing the constitutionality of the existing tariff. As a tribute of respect to Mr. McDuffie, he was met at the new bridge ferry by a large and respectable mounted escort of the state rights and free trade party, who conducted him to the residence of governor Hamilton, where his excellency received the party. The attendance of Mr. McDuffie, at this insubstantial season of the year, not only involves a great sacrifice of his personal convenience, but also some hazard to his health; and the enthusiasm of our citizens in welcoming him as they did, was therefore but a just return for his generosity and public spirit, independently of his other and very eminent claims upon public gratitude and esteem. The case, it is understood, will be commenced this day in the district court, which will doubtless be crowded. The anxiety and interest of our people are highly excited on the subject, and fully correspond to the vital importance of the principles involved. Mr. McDuffie's deserved celebrity as a statesman and a jurist, would, at any time, and under the most ordinary circumstances, command popular attention and respect, but never perhaps has there been greater anxiety, in any place, or upon any occasion, to hear an orator or lawyer, than there now is, in this city, to witness the effort which this able and patriotic man is about to make, to arrest, if possible, even in the federal courts, the usurpations and oppressions of the federal government. It is hazardous but little therefore to repeat, that the court will probably be crowded beyond all precedent.

NEW PARTY NAME. We observe an address from the "Democratic anti-masonic convention" of York county, Pennsylvania.

THE MINISTER FOR RUSSIA. It has been stated that Mr. Buchanan received the appointment of minister to Russia, some considerable time ago—but the question is started, has Mr. Randolph resigned?

THE REV. DR. IVES was consecrated bishop of the Protestant episcopal church in North Carolina, at Philadelphia, on the 22d ult. in Trinity church—bishop White presiding and the bishops Underdonk assisting, with many other clergy attending, and a large concourse of spectators.

CITY BANK OF NEW YORK. We noticed in our last the arrest of Parkinson, an Englishman, and two women, as being connected with the robbery of this bank. The fellow has made disclosures which led to the recovery of money and securities to the amount of thirty three thousand dollars, in the hope that, as he could not escape punishment, he might thereby mitigate it.—Among the property regained was 500 doubloons. The whole was curiously concealed. A considerable part of the balance yet unaccounted for, has, probably, been dissipated.

PIRACY. The English brig Maria, of Liverpool, was captured in May last, off the coast of Africa by a pirate, and all of her crew, except two or three Kroomen, murdered, at once. The Kroomen finally escaped. The pirate vessel is a brig, with a company of about 100 men, made up of many nations. This set of the pirates seems to have been in retaliation for a partner-vessel which was attacked from the British ship Primrose, the greater part of whose crew was killed in the fight.

"HONORABLE ACCOUNTABILITY."—The following article from the Washington "Globe" of the 22d ult. is in close-keeping with some of the matters stated by Mr. Berrien.—The object of the editor was to account for Mr. Eaton's departure before Mr. B's replication appeared:

"Does Mr. Berrien suppose that an injured man, after calling his assailants to an honorable accountability under which they cowered—after having invited them to

make proof in support of the charges which they propagated by insinuations and artifices—after having given at large his own views of the questions which they brought before the people by their publications, is bound still to stay at Washington city, neglecting his private business, to be baited by the noise and fury of those who will meet no fair or honorable issue? The public does not expect this of major Eaton. Mr. Berrien therefore, is now given to understand, that major Eaton has done with him and the paper war. He will not notice again his public appeals.

"If there be any thing, however in the publication of major Eaton, which Mr. Berrien may think wrongs his honor, we feel at liberty to assure him that major Eaton, although he has left Washington, will not hesitate to return to make all proper amends."

From the same of Sept. 27, as extracted from a letter from Baltimore, dated the 25th—the authorship of which some have ascribed—we know not how justly, to major E. himself

"Major Eaton is still detained here by the severe indisposition of his lady. Although not yet able to be up, she is convalescent, and the major expects, in a few days, to resume his journey."

"It is a little surprising that Mr. Berrien, who was so very willing, at a proper time, to grant the expiation demanded by major Eaton, has not given him notice that the accepted time has arrived. It is presumed that those 'higher duties' which restrained his chivalrous and willing spirit, are now performed. A few hours would bring him to this place, and a few lines would show whether major Eaton was in earnest or whether his calls were mere bravado."

EMIGRANTS. The Pennsylvania Register states, that in one vessel lately arrived at Philadelphia from Havre, came 26 German or Swiss families—consisting of the parents, and 103 children of various ages—of whom 28, or 14 pairs, are TWINS; and of these twins six pairs are the production of three families. The following are their ages:—1 pair 4 years—1 pair 10 years (same family)—1 pair 2½—1 pair 4½ (another family),—1 pair 1 year—1 pair 4 years, (3d family),—1st pair, 1 male, 1 female—3d pair, both females—3d pair, both males—4th, 1 male, 1 female—5th and 6th pairs, all females. Of the 14 pairs, 5 pairs were all male—5 pairs were female, and 4 pairs were male and female.

Three other vessels from the same place had each two pairs, and one other vessel four pairs on board.

REFORM IN GREAT BRITAIN. We have many papers on hand which express an opinion, that a reform of parliament will speedily be followed by other reforms yet more important, in the church and state, and a belief is freely given out, that the nobility will be swept away! The fact is, that as other nations fall into the habit of supplying themselves with manufactured goods, and so reduce the monopoly which England has enjoyed, the ability of her people to pay the present heavy rates and duties is diminished, and the time must come when such impositions cannot be paid. THEN THERE WILL BE REVOLUTION. The looms of the United States are doing more to break down the power of Great Britain, than an hundred ships of the line could accomplish. There must be an end to all things, and surely is a limit to oppression.

FRANCE. The military availability of France may be, in some degree, appreciated by the late fact, that an army of 500,000 men was put in motion for Belgium in twenty four hours. Two of the king's sons, as colonels, marched with it. The males of the royal family there, will not be respected unless they possess military habits, and take every opportunity to evince them and make a display of personal courage. It is a general saying that "a good heart excuses many errors." In France it may also be said, military grace and prowess will excuse many faults. Not that the king's sons have faults.

The king of France was called from his bed by the express from Belgium with the news of the Dutch war. He arose and immediately commenced giving orders for the maintenance of the independence of the new nation.

MEXICO. From Vera Cruz letters have been received dated 16th of August, by a respectable house of this city, stating that a conducta was on the way from the city of Mexico to Vera Cruz with \$1,280,000, escorted only by fifty horsemen,—a circumstance which proves the perfect tranquility enjoyed in the republic. [*Phil. Gaz.*]

FROM BUENOS AYRES we have an account of the defeat of general Hierrosilla—of the death of general Vilafane—of the success of general Quiroga—of the capture and death of colonel Echagui—of the surrender of colonel Huelo, the father of general Paz—of the resignation of general Echagui—of the correspondence of general Alvarado, general La Madrid, general D. J. Lopez, and general E. Lopez, and of the federal party and of the unitarian party—and many other things, shewing the blessings conferred by military rule. We wish to both parties the success of the "Kilkenny cats," that the people may have peace.

CUSTOM HOUSE SEIZURE IN MONTREAL. A Montreal paper informs us, that a system of fraud which is supposed to have been practised for a considerable time, in bringing goods into Canada from the United States, has lately been discovered. The practice has been to enter goods, paying an enormous duty at prices much lower than their intrinsic worth, and by this means evade the payment of the greater portion of the duties. A large quantity of clocks, &c. were lately seized and condemned to public sale, on account of their having been entered at less than one fifth of their value; the proprietor, however, compromised the matter, paid duties on the full value, and cost of seizure, and on these terms was permitted to take possession of his goods.

[The important fact is disclosed in the preceding, that manufactures of the United States are sent to the Canadian market, to contend with British manufactures.]

APPEARANCE OF A NEW ISLAND IN THE MEDITERRANEAN. The Messenger des Chambres, contains an interesting article, of which the following is a translation:—Toward 11 o'clock of the 10th of July, 1831, captain John Corrao, commander of the brig Theresine, going from Trapani to Girgenti, in Sicily, at the distance of about 20 miles from Cape St. Mark, perceived, at the distance of a gun shot, a mass of water which arose 60 feet above the level of the sea, and presented a circumference of nearly 400 fathoms—a smoke proceeded from it, exhaling an odour of sulphur.—The preceding day, in the Gulf of Trois Fontaines, he had seen a great quantity of dead fish and black matter floating on the water, and he heard a noise like that of thunder, which the captain attributes to a volcanic eruption. He continued his voyage to Girgenti; and all the time that he was occupied in lading his ship, he saw a thick smoke rise incessantly from the same point, before which he arrived on the 16th, on his return from Girgenti. A new spectacle was then presented to him—namely, a tract of land, of the same circumference as that of the mass of water which he had remarked in his first passage. This island (which we shall call Corrao, from the name of him who saw it formed) is elevated about 12 feet above the surface of the sea; it has in the middle a kind of plain, and the crater of a volcano, whence a burning lava is seen to proceed during the night. The island is bordered by a girdle of smoke. The sounding all around the island gives a depth of 106 fathoms; the meridian of Paris. Such is the relation of capt. Corrao himself, who entered the port of Marseilles the 30th of last July. The volcano has also been seen by several captains going from Malta and Targanrock to Genoa, and the pilots have learnt from a fisherman, that, on the day of the eruption of this volcano, he had seen a brig perish, and also a fishing boat, his companion; and that he considered his own escape miraculous.

[This island must be the same as noticed from the ship Crawford—some account of which was given in our last, page 71.]

COLONIZATION SOCIETY. From the Columbian Gazette. By the September number of the African Re-

we are glad to perceive that the contributions of philanthropic institutions are in no wise lessened. receipts during the month of August amount to \$537, including a magnificent donation of \$2,000 from a gentleman in the state of New York.

In announcing this extraordinary liberality, the editor of the Repository very justly remarks—"What might not be effected for Africa and mankind, were all our wealthy men to imitate so honorable, so christian, and so splendid an example."

Another name is also added to the list of subscribers on the plan of Gerrit Smith, who deserves, and we hope will receive, the lasting gratitude, both of the African and the philanthropist, for being the first to set so noble an example of generosity.

We learn from the Repository, that at a meeting of the board of managers of the American Colonization society, August 19, 1831, on motion of R. Smith, esq. the following preamble and resolution were adopted:

"Whereas, information has been communicated to the board that collections to a large amount have been made in the western country, and whereas, it appears from the statements of the secretary that the funds of the society will justify an expedition being forthwith made, there-

Resolved, That the sum of \$5,000 be appropriated for an expedition from the western states, and that Mr. Finley be authorized to draw on the treasurer for the purpose of fitting out and paying the expenses of such expedition."

SMEETING OF IRON. Heated air for blast furnaces has been used for some time at the Clyde iron works, and with great success. Experiments have proved that iron is smelted by heated air, with three-fourths of the quantity of coal required when cold air, that is, air not artificially heated, is employed for that purpose. It is supposed that this improvement will accomplish a saving in the cost of the iron in great Britain, to the amount of 200,000*l*. [London paper.]

FOREIGN ARTICLES.

The troops of Donna Maria, of Portugal, at Tereira, lately made a descent upon and subdued the island of St. Michael, after some pretty smart fighting. The Miguelist soldiers had been sent to Fayal.

The London Globe says—Accounts have been received from Warsaw, which state that the Polish government have received, for the first time, an official communication from the French government, in which they advise and recommend to the Polish commander-in-chief not to risk a general battle with the Russians, and at the same time the French government will make every endeavor to mediate for the settlement of the affairs of Poland. The above account states that 270 pieces of cannon are placed on the fortifications of Warsaw, which is now rendered almost impregnable.

English papers to the 21st August inclusive, have been received at New York. No important events had occurred since our last advices—the following is a brief notice of the chief things mentioned: The Dutch troops had left Belgium, but the French yet remained, because Leopold was fearful of a second invasion. The "Perrier ministry," as was expected, because of the assistance afforded to Belgium, would remain in office—now having a large majority in the French chamber of deputies. The wheat harvest in England had been a fine one. The reform bill was not yet passed through—the details are difficult and contested. The question of slavery in the West Indies had been touched in parliament—nothing decided. Certain movements of Prussia had caused lord Palmerston to address a sharp note to the Pr. cabinet. A very good understanding prevailed between France and England. The debates in the French chambers had been very warm—but the excitement appeared to have subsided. The movements of the Russians in Poland betrayed a conscious weakness or much indecision—no important event had happened, though a great battle was still expected: the Poles do not seem to fear it. A part of the French fleet yet remained in the Tagus—Don Miguel was *dungeoning* hundreds more

of the unhappy people of Lisbon—he seems fearful of a design against his life, as well he may. A good many lives had been lost between the Papists and the Liberals, of the Roman states—the soldiers had divided between the parties: a large body of the troops refused to take a new oath to the pope, and march against the patriots of Romagna.

We have not room for details.

MR. BERRIEN'S REPLY. For the National Intelligencer.

TO THE PUBLIC.

The multiplied misrepresentations which are contained in the recent publication made by Mr. Eaton, claim from me a reply. I make it with unfeigned reluctance, well aware that the discharge of this duty to myself, and to the public, will expose me to a repetition of the wanton abuse of a press, which professes to speak in this matter by the authority of the chief magistrate. No man would voluntarily enter into such a controversy. If I do not shrink from it, it is because I feel that I am called to this act of necessary self-defense, by considerations which I may not be permitted to disregard.

From the pressure of circumstances, which I did not contribute to produce, and had not the power to control, I was some time since under the necessity of addressing you. Let me for a moment call your attention to the state of things at that time, that you may more distinctly understand my present position. I had no agency in bringing about the dissolution of the late cabinet, and was desirous of avoiding the controversies, which it was but too probable would follow in the train of that event. The law was not weak enough to suppose the number would attach any paramount importance to the retirement from office of my colleagues and myself; but I was equally assured, and the result has confirmed my conviction, that their just indignation would be excited by a knowledge of the causes which led to that event. Whatever sympathy might arise in relation to the right of the president, to exercise his own absolute and uncontrolled will, in the selection and dismissal of his cabinet, the American people would practically recognize the principle, that the power to confer office, or to reclaim it, is but a trust delegated by themselves, to be useful for the common benefit, not under the impulse of personal, and still less of unworthy motives. It was highly improbable, moreover, that the true nature of this transaction could be concealed from the scrutiny of an intelligent people. The immediate community of Washington—the members of both houses of congress, and private citizens from various parts of the union, who had mingled in society here, from the time of the organization of that cabinet, down to the period of its dissolution, had seen enough to awaken a spirit of enquiry, which would naturally extend to the people at large. While, however, I held myself bound to answer any proper call for explanation, I was most anxious to avoid intrusion upon the public, and to guard myself from being, as far as a just respect would permit, any of the controversies which might grow out of it.

When shrinking from the justly apprehended indignation of the American people, it was resolved to put the defence of this measure upon the bold and reckless denial of facts, which were notorious in this community, and beyond it—when the official paper of the government, professing to act by the authority of the president, had avouched my name to give sanction to a statement, which I knew to be untrue, I felt myself called upon by considerations, which no honorable man could disregard, to bear my humble testimony to the truth. In the performance of this unweelcome duty, I limited myself to a narrative of the facts, which had been drawn into controversy, and to a brief vindication of my own conduct in those particulars, in which it had been arraigned. I knew to what I subjected myself, by this act of necessary self-defence. Absolved by the limited range of my official duties, from participation in most of the exciting occurrences of the day—standing aloof from the intrigues which were represented to exist, and having no motive to misrepresent the truth, it was foreseen, and such has been the result, that this statement would receive the confidence of a just and intelligent community. The consequences were obvious even to those who relied most implicitly on the personal popularity of the president. What then was to be done? In its essential facts, the statement was beyond the reach of controversy. It was only the mode employed by every effort to contradict it. An impotent attempt was made to represent the transactions which it detailed, as unimportant, insignificant, unworthy the attention of the American people. Such an effort to pervert the moral sense of such a people, could not succeed. The sacredness of solemnity in the exercise of the domestic executive, had been rudely assailed, and they could not deem lightly of a despotism like this.

The alternative was to silence the witness, or to destroy the effect of his testimony, by assailing his reputation. To accomplish this, a series of measures, having the same end in view, have been steadily pursued towards me. I have been the object of a system of bullying and vituperation, alike in its nature and in its aim, and disgraceful to the immediate actors, and to those who having the power, have not interposed to repress it.

Retiring from a responsible station in the government, under the assurance of the continued confidence of the president, and with an expression of his regret for the necessity, which demanded our separation—acquired by him of all imputation of impropriety, either official, or individual—here at the seat of national government—after having been dragged before the public to maintain an issue, involving my private honor—one which had

been forced upon me, under the avowed authority of the chief magistrate, I have been calumniated and nudged by those who speak at his bidding, and are silenced by his nod. If excited by feelings which no man may repress, I have at any time been tempted to indulge them, a little freedom has sufficed to convince me, what it is that my duty to myself and to the public requires at my hands. That duty consists simply in maintaining the cause of truth before the American people; and, uninfluenced by rivalry, and unswayed by menace, in exposing to them the real condition of this community, in which the reign of terror is emphatically established. I am not indifferent to consequences; but, whatever they may be, the voice of warning shall not be withheld.

I shall be compelled to speak of Mr. Eaton, the late secretary of war, whose multiplied misrepresentations have made it necessary for me to address you. I shall do this, however, from a consideration of his official connection with the late cabinet, and from the belief, that, although retired from office, his situation for all the purposes of this discussion remains unchanged. As a private individual, he has placed himself beyond the pale of honorable controversy. He has sought and evaded it, when the opportunity was afforded to him of gratifying his resentment. If I employ a moment to the exposure of his conduct, it is not because I can derive pleasure from contemplating the humiliation which he has voluntarily sought, and still less to vindicate myself from the fillings of abuse, with which he has filled the columns of the Globe. No—I have a better purpose. In the discharge of my duty as a citizen, I would exhibit to the American people that system of calumny, and menace, which prevails at the seat of the national government, under the immediate view of its highest functionary, and in which his most confidential friend is the promotor and principal actor.

Very soon after my return from Georgia in June last, when, from the tenor of his resignation, it was ascertained that I would not join in the attempt to conceal the real causes of the dissolution of the late cabinet, the movement of the cabal at this place were directed against me. I did not feel that it was my duty to enter into an exposition of those causes, and I abstained from doing so; but I could not consent to become a party to the effort which was made to conceal them; and by placing my own resignation on the ground of the president's mere will, I gave a distinct negative to the misrepresentations of that transaction, by which it had been attempted to delude the public. At this time Mr. Eaton, availing himself of a publication in a paper, with which I had no other connection than that of a subscriber, called upon me peremptorily to avow that my family had refused to associate with him. It was not the mere publication, it was the statement which I was called upon to disavow, in terms sufficiently abrupt (without any reference to what had just occurred with Mr. Ingham), clearly to indicate what was to follow. Every man will understand, on reading that note, that Mr. Eaton had determined to call me to the field, in the event of my avowal of the statement of which he complained. What other purpose could have induced such a demand, couched in such terms? I certainly so understood it, and shared the surprise of others, on reading in the conciliatory reply, which he thought proper to address to me, in answer to my avowal of the offensive statement, a distinct waiver of his original demand.

This correspondence is before the public; but a moment's consideration of it will serve to show, that the object of this rude and peremptory demand was to deter me from an exposure of the truth; and that even, according to the notions of what the world calls honor, the failure of Mr. Eaton to prosecute it, when I had distinctly avowed the offence of which he complained, took from him all shadow of right, thereafter, to urge any claim upon me. By making this demand, he asserted that the statement was offensive to him. By the manner in which he received my avowal of its truth, he manifested his disposition to submit to what he had thus treated as an aggression upon his feelings, without having received any atonement for it.

But the nature of the offence of which Mr. Eaton complained, will still more conclusively prove that this was an empty menace, conceived in the vain hope of deterring me from exposing the real nature of the transaction, which was then engaging the public attention. The statement in the Telegraph was that my family had refused to associate with him. When in answer to his demand, I avowed the truth of that statement, my offence consisted in the simple assertion of this fact. Was this a ground, on which to call a man to mortal combat? I had a perfect right to refuse this association. Mr. Eaton admits it. I offered no violence to his feelings by a saying that I had done so, as the terms of his reply very clearly prove. Why then was the demand made? It was an idle bravado, the object of which was to obtain such an answer, as might be perverted to his purposes, and in every event to admonish me, that he was armed, and in the field. Thereafter, I was to act under the influence of this salutary caution.

This first attempt was a manifest failure. An opportunity had been afforded to Mr. Eaton, to carry out his purposes, so far as I was the object of them. Whether it arose from a faltering spirit, or from his own conviction of the absurdity of his demand, he did not avail himself of it. The fact that such a correspondence existed, soon became known to the public, and they were not slow in expressing their view of it. It became necessary therefore to Mr. Eaton, to make an effort to retrieve his affairs, and certain expressions in my former address were seized upon for this purpose. It is this correspondence, which he says has eventuated in a determination on my part to shrink from responsibility, and it is that determination, imputed to me, in utter disregard of truth, which has called forth the rivalry which embelishes his appeal to the public. That public shall have an opportunity

to decide for themselves, on a full view of the transaction, which Mr. Eaton has misrepresented, whether he has any legitimate claim to the triumph of which he boasts—whether, on the contrary, he has not presented to them a statement, wholly devoid of truth, in relation to a transaction, in which his conduct has been distinguished by every thing rather than his chivalry.

Mr. Eaton's second demand upon me, was founded upon certain expressions in my former address. The alleged offence consisted in the statement, that "the announcement of the names of the intended cabinet, seemed to me to present an insupportable barrier to my acceptance of office—that I thought, I foresaw clearly the evils which have too obviously resulted from this selection"—and that my ultimate determination to enter the cabinet, was founded on the belief, that the president would "speedily see and correct the evil." Assuming that the objection here referred to, applied exclusively to himself and to the relations of his name to the community in which he lived, which is neither warranted by the language of the address, nor consistent with the fact, Mr. Eaton thought himself authorized, without further enquiry, to make an instant demand of satisfaction. So absurd a pretension put forth by any man, and even for the first time, might have been promptly repelled by a simple denial of the right to make it. If I believed that the relations of Mr. Eaton's name to the community of Washington, would be productive of embarrassment, I had an unquestionable right to allow this consideration to have its proper influence upon my conduct. If called upon to state the motives to that conduct, I had as manifest a right to avow it. I am quite sure, on reflection, that public opinion would not have tolerated the acceptance of a call, so utterly groundless, whatever the circumstances under which it was made.

But Mr. Eaton had another difficulty to contend with. He had already made and waived a demand for an offence, which it was one, certainly included this. Should he still strive to speak of the relations of his family to the community of Washington, as an evil which was likely to embarrass the operations of the cabinet, it was much more to me to declare that such had been my own view of the subject, that I had refused to permit my family to associate with him—and that I had declared my determination to retire from office, rather than submit to such a requisition. Yet to this declaration, Mr. Eaton had previously submitted, and after considering it for a week, he had withdrawn the request. Was I bound then to await the ebb and flow of his sentiments, or of his disposition to indulge them? to conform myself to the fiftful humors of a man, whose purposes were thus absurd and vacillating? I do not mean to say, that I would regulate my conduct by the requirements of any arbitrary system of honor, when these conflicted with contradiction, that even according to the maxims of that code, to which he had appealed, Mr. Eaton had forfeited all claim to call upon me, by his previous submission to that which he had treated as an offence, and for which he had received no atonement.

The time selected by Mr. Eaton for making this second demand, coupled with the refusal to receive the answer, which was transmitted to him, furnish, however, the most conclusive evidence of the real spirit in which that call was made; and prove, whatever might have been the hopes of those who had connived or counsented to this proceeding, that, with him, it was a mere bravado. The wrong of which Mr. Eaton complained in his note of the 17th June, was avowed, and unstoned for. In this posture of things, he waited until my appeal to the public had placed me in a situation which, until I could disengage myself, would necessarily prevent me from turning again to answer my minor claim. Under the alleged authority of the president of the United States, an issue had been tendered to and forced upon me. Called to speak the truth, I had pledged myself to a statement of facts in the face of the American people, from the support of which I could not suffer myself to be diverted by any other consideration. The redemption of that pledge was due to the public, whose decision I had been compelled to invoke—and to my own honor. It was impossible to force it upon whom, and in what particulars, that statement could be assailed; and it was my duty to be at my post, and in readiness to defend it. Under such circumstances, to have turned aside to answer the call of Mr. Eaton, would, I am now satisfied, have subjected me to universal reprobation. A short time might probably suffice, to enable me to tell my duty to the public in this matter; but until I was relieved, it was my first duty. It is impossible to believe that Mr. Eaton could have been insensible to these considerations. He was on the spot; deeply engaged most of them. He chose this precise point of time to present his second demand. He did more, his friend, who is presumed to have acted in conformity to his instructions, refused to answer an answer, which, far from demanding an answer, gave him the most distinct assurance that it should be promptly attended to, as soon as the duties in which I was then engaged had been fulfilled; and with a knowledge of this fact, Mr. Eaton, reckless of the exposure which awaited him, has asserted, in the face of truth, that I had shunned responsibility.

If the circumstances in which I stood before the public, did not impose upon him an imperative obligation to abstain from making his call at such a moment, still the assurance which was offered to him, upon one which a brave man seeking honorable combat could not have refused. The refusal to accept it, was therefore a palpable evasion of the combat, which he affected to invite.

The spirit which was manifested by the mere fact of making this demand, under such circumstances, was calculated, however, to produce feelings which I could not at the moment repress. Connecting it with the repeated attacks of the government press, I saw in it a ruthless determination to sacrifice my honor or my

Mr. I looked beyond the immediate agent in this transaction, and was resolved to disappoint the hopes of its contrivers. In the vindication of truth and my own honor, I felt that I had the power to do so; and pressed by an unseen hand, I thought that the moment had arrived when I had become necessary to exert it. The question to be decided was, whether a system of lawless violence should prevail unchecked, at the seat of the national government, in the face of the American people? It was my misfortune to be called to test that question, with such a man, and under such circumstances, but it was not my fault. I sent accordingly for a gentleman in whom I had confidence, and communicated to him when it had become necessary to exert it, necessary for me to pursue. His remonstrances against it were instant and decided. After a free conversation on the subject, it was agreed to refer Mr. Eaton's note, confidentially, to certain gentlemen who were mentioned, together with my own view of the matter, and with it the question, whether I could have carefully accept his call. They answered, stating that they had carefully perused my note, Mr. Eaton's, and the communication referred to by him, (my former address), and then added, "we cannot perceive any just cause for the call now made on you; and under any circumstances it is our decided opinion, that in the present state of the controversy, in which you are engaged before the public, you could not with any propriety accept his invitation." "If I had had the slightest doubt as to avoid Mr. Eaton's resentment, here was an ample opportunity of doing so. Here were gentlemen who were impartial on this question; men whose courage, whose high sense of honor, whose general standing in society entitled them to be heard in a matter of this sort, and who had given a prompt and decided negative to his demand. Looking to the absurd nature of that demand, it could not be that this opinion was dictated by the deliberate judgment of these gentlemen, and that I should have been fully justified in giving to it an unqualified refusal. I was, however, to refuse Mr. Eaton's call. I erred, perhaps, in not doing so; but it is not the error which he imputes to me. I did not return an argumentative labored reply to a plain and simple demand." Putting out of that controversy certain matters which he had unnecessarily introduced into it, I referred him to our former correspondence and its result; to my actual relation to the public, and the duty which it imposed upon me; and exercising a right which belonged to me, under any circumstances, and which that relation imperiously called upon me to exert, I informed him that as soon as that duty was fulfilled, I would attend to his demand, with a disposition promptly to repair any wrong which I had inflicted. "I list answer, with the note of Mr. Eaton's friend, which enclosed it, is, however, now submitted to the public.

Mr. Berrien's note to Gen. Hunter, enclosing his answer to Mr. Eaton.

Washington, 29th July, 1831.

Sir—The difficulty of meeting with any person here who is unconnected with the government, and whom I can ask to be the bearer of the enclosed letter, induces me to commit it to Mr. Echols, one of my family. The considerations of a domestic nature have prevented me from communicating to him its contents. I assure myself, however, of its proper delivery, by placing it under cover to your address, and instructing Mr. Echols to deliver the package only to yourself. I am respectfully, sir, your obedient servant,

JOHN MACPHERSON BERRIEN.

To Gen. Alexander Hunter.

Mr. Berrien's answer to major Eaton's challenge.

Washington, 29th July, 1831.

Sir: Your note of yesterday's date was delivered to me by Gen. Hunter.

I will waive at this time any observations on the language and style of that note, or upon any statement not necessarily connected with your present demand, which it contains. I make two exceptions to this waiver, and I remark first, that in your account of the interview between us, on the occasion of tendering to me the office of attorney general, you have omitted to state, that your communication was confined to that single point; that neither the names of the members of the cabinet, nor the principles on which General Jackson intended to administer the government, were mentioned to me, but that for these and all other matters which might influence my decision upon the invitation which had been given to me, I was referred to myself. I take the occasion to add also, with no reference to your article, that I, however, that I do not acquiesce in your interpretation of that sentence in my address to the public, in which it is stated that the announcement of the names of the cabinet seemed to me "to prevent an insuperable bar to my acceptance of the office, which had been tendered."

And now, sir, I will reply to the residue of your note. You rest the demand which you have made, as I understand it, upon the allegation, that I have given countenance and sanction to what you denominate the base slanders, which have been propagated against you in your domestic relations, and you say that this has been done in my address to the public, by speaking of these rumors, as evils which might prove an insuperable bar to my entering the cabinet, and stating that my assent was fully given under the persuasion that the president would speedily see and correct the evil. The wrong then of which you complain, consists in my having stated to the public, as you suppose, that your introduction into the cabinet was an evil, in consequence of the reports which were in circulation in relation to your family, and that for this cause I had hesitated to take a place in it, and had finally acquiesced, under a belief that this evil would be speedily removed. I state the ground which you have taken, thus distinctly, not for the purpose of discussing it with you, but that "the American people," to whom you refer as arbiters of the propriety

of your conduct, may be enabled at once to see the principle on which you rest your claim to demand satisfaction from me, and having done this, will proceed to explain to you why I will not now reply to it.

You took an early occasion after my return to this place to make the demand which gave rise to our former correspondence. That was a demand for the avowal or disavowal of a statement, that my family had refused to associate with yours. I met to this by the avowal which you called for, stated the occasion on which I had given this refusal, and the determination which I had expressed to leave the cabinet, rather than to yield it. I held myself ready at that time to answer any just demand which you should make upon me, founded upon this refusal, or the avowal of it. You made none. On the contrary, after having my answer four days in your possession—after having, as you tell me, given to it "a full and calm consideration," you replied to it in the spirit of "peace, and I terminated the correspondence by a note, written in the same spirit. Up to that period your claims upon me were, then, at an end. Since that time, the letter of Colonel Johnson, the misrepresentations of a paper published under the eye of the president, and finally a statement in relation to myself personally, have compelled me to appeal to the public. That appeal is now pending. It places me in a new position, and imposes a new duty. Under the alleged authority of the president of the United States, an issue has been tendered to me, the decisions of which is vitally important to my own character and to the public interest. It is at such a moment, and under such circumstances, that your demand is presented to me. The American people, to whom you appeal, will not fail to perceive and to weigh such considerations, and to decide on which it is made. My answer is, that I have higher duties to perform both to myself and to the country, than any which your demand, even conceding it to be rightful, (an which subject I express no opinion,) can impose. I will not be diverted from the fulfillment of these duties. When that purpose shall have been accomplished, I will attend to your demand with a disposition promptly to repair any wrong which I may have inflicted. I am, sir, your obedient servant,

JOHN MACPHERSON BERRIEN.

To John H. Eaton, esq.

This letter, which was delivered to a friend of Mr. Eaton, (who, in consequence of General Hunter's indisposition, had been selected to represent him), that friend refused to receive, and returned to the bearer of it, who, as the public will have seen, was ignorant of its contents. I considered this as decisive evidence of his disposition to evade the contest which he professed to seek. If he had been sincere in making this demand, an opportunity was thus offered to him of gratifying his resentment. A short time would suffice to release me from my existing engagements to the public, and then he would have been authorized to renew his claim. By the refusal to receive my letter, he necessarily closed all communication between us. The subject of such communication had been as preliminary to further proceedings, to retract that step, and to apologize for it. Without this, any subsequent demand by Mr. Eaton, was merely idle. When it was made, having previously obtained the friendly offices of General Jones in this matter, I instructed him to say for me, that I could hold no further communication with Mr. Eaton, who must thereafter pursue his own course. He had no receipt of satisfaction on the only terms on which I could offer it, and I left him to seek it in any manner which might be more agreeable to him. He has selected his mode, by his appeal to the public, and must now abide the result. I think, then, it is obvious, that this idle bravado, twice displayed, without even a plausible pretence, has no other consequence, except the disgrace of itself, and the palpable discomfiture of its more immediate agent. From me, Mr. Eaton has received no wrong. Although I cannot admit the existence of that intimacy, which it records with his present purposes to assert, still I can fearlessly appeal to those more immediately conversant with my course here, to say whether feelings of hostility have at any time characterized my conduct towards him. This declaration is not made with any view to diminish his resentment; that he will continue to indulge as he thinks fit, without any effort on my part to propitiate it. No: Mr. Eaton, and his resentments, and the manner in which he may think proper to induce them, are utterly unimportant. That which demands our consideration is, that the law of force is openly proclaimed at the seat of the national government—it is he who ventures to rebel the groundless and the official press must speak at the peril of his life, in the vindication of his honor; and if even in self-defence, he shall dare to say aught which may draw into question the public conduct of that high functionary, whose views it professes to represent, and by whose alleged authority it speaks, he must instantly prepare himself for the consequences.

Such is the condition to which we are reduced. It is utterly unavailing to deny the fact; for the evidence is before our eyes. Two separate calls have been made upon me by Mr. Eaton within little more than a month; and the fact that he has, at each time, faltered in his purpose, only serves to render more obvious the spirit which dictated them. There is no dispassionate man, I care not of what party he may be, who will venture to affirm that he had a right, in either case, to make these demands. Why, then, were they made? The official press has, in the mean time, been unceasingly employed in vain and impotent, but ruthless efforts to assail me—and for what? for the mere act of vindicating myself, by a simple narrative of facts, excluding all superfluous comments on those things have been notorious. Ever since June last this community has been repeatedly agitated by rumors of intended conflicts. No man has been able to close his ears against them. The public newspapers from all parts of the union have brought them back to us, and there is no one who is either

so elevated or so humble but, that have reached and penetrated his dwelling. For this disturbance of the quiet of the community—this degradation of the national character, a solemn responsibility rests somewhere. Whether the delusion of the moment, the time will come, and that speedily when the American people will enforce it. And who has been the principal actor in these scenes, in each case, the moving cause of this disturbance? An individual enjoying the confidence of the chief magistrate, in habits of daily and intimate intercourse with him. And by whom have these calumnies been uttered? Who is it that has conspired with an activity which has never slumbered, to fan the flames of discord? These have been the labors of a press which is necessarily under his control. Who doubts that this reiterated calumny, this continued menace of violence, might have been checked by a word? Who will question that the power to do so, involved the obligation to exert it? Else, what are government, laws, and the duties which belong to the civil magistracy? What is that high and honorable feeling which does not permit its possessor to resort to dishonorable means himself, nor to counsel or countenance them in those whose conduct he has either the legal or the moral power to control?

I dismiss with these remarks so much of Mr. Eaton's pamphlet as relates to the second correspondence between us. In the spirit of a determination to misrepresent every thing connected with this subject, he imputes to me the violation of a personal intimacy which he has never before the public, and of the cabinet, and the fact of having contributed to give currency to the reports against the character of Mrs. Eaton. He adds, that, as the partisan of Mr. Calhoun, I had fomented the divisions of the cabinet, and become party to an intrigue, which had for its object his expulsion from it. Each of these charges is wholly destitute of foundation. As to the first charge, presented to me entirely fictitious that those who have been conversant with the transactions as they occurred, can discern no resemblance to them in this statement, and they will perhaps be embarrassed in determining to whom to award the credit of exercising that degree of imaginative power which was necessary to have conceived it. I never was on terms of intimate friendship with Mr. Eaton. This declaration is alike due to myself, and to those with whom I have the good fortune to stand in that relation. I have already said that I attended his wedding. I did so upon an appeal made to me, as a member of the senate—as a political, not as a private friend. Circumstances soon disclosed to me the inferences which would probably be drawn from this occurrence, and I limited myself thereafter to a civil intercourse with Mr. Eaton, when we met. I was not in the habit of visiting him, either before or after his marriage. Still I had no hostility towards him, and in looking to the circumstances so often adverted to in this controversy, whether before, or at the time of his introduction into the cabinet, I certainly indulged no such feeling. I have before said, and now repeat, that my conduct while there, was studiously regulated to avoid offence. I could not gratify the too obvious wish of the president in this matter. I thought any interference on his part, unfortunate for himself, and for the country; but I did not seek to inflame the feeling which was excited by the indirect attempt to control the society of Washington.

A single fact, known to me, *as true among whom I write*, furnishes a decisive answer to the allegation of a combination in the cabinet, to exclude Mrs. Eaton from society. It is, that the question of exclusion as it related to the society of Washington generally, was settled before Mr. Eaton came into office. His marriage occurred in January, and during that and the succeeding month this question had been tried and determined, by those to whom it belonged, the members of the cabinet. Any movement on the part of those who composed the cabinet on that subject, could only therefore have for its object to reverse that decision—to introduce and not to exclude. I had no part in this matter. I was during that winter a member of the senate, and did not enter into society—and my family did not reach this place until the following summer. I did not believe that, as a member of the cabinet, I had any thing to do with the regulations of this society, and in connecting myself with the community as an individual, I conformed myself to what appeared to me to be already established in relation to its social intercourse. Now, as heretofore, Mr. Eaton is desirous of placing me in the attitude of an accuser—that he may avail himself of the public sympathy, which he has so far been able to excite. Hence, and now, as heretofore, I disclaim this office, in form as well as in fact. The call upon me for the adduction of proofs, is therefore merely idle. I am not even responsible for the introduction of Mrs. Eaton's name into the discussions between us. This was done originally by Mr. Eaton himself. The demand which he made upon me, on the 17th June, drew from me the statement contained in my note of the succeeding day, and it was Mr. Eaton who brought that correspondence before the public, by giving it, or an extract from it, to the editor of the Globe, by whom that extract was published; and this rendered it necessary to publish the entire correspondence. So far as I am concerned, therefore, the matter is closed. I was gratified by a termination of discussion between us, the question of Mrs. Eaton's relation to the society of Washington, and the rumors concerning her.

I have a brief remark to make on Mr. Eaton's statement of the interview, which took place between Mr. Branch and himself in my office. I had no agency in producing that interview, and was not, I think, advised that it was contemplated, until a very short time before the parties met. I was gratified by a termination of it, which did not interrupt the official intercourse of those concerned; but I believe nobody thought, for myself I certainly did not, that any expiation which was given there, was calculated to remove feelings of personal hostility, if any such existed. The expression of such a feeling as is ascribed to me, would therefore have been utterly inconsistent with the occasion. I advised

to this subject, however, for the purpose of stating the strong impression which rests upon my mind, that there is a mistake as to the time of its occurrence, notwithstanding the abduction of Mr. Branch's letter. I kept no note of this transaction, and cannot therefore speak with positiveness; but my belief is that which I have stated. Mr. Branch will, I presume, put this matter on its true footing.

Mr. Eaton has made a labored effort to attribute the dissolution of the late cabinet to the intrigues of the partisans of Mr. Calhoun, rather than to the feeling which has been excited by the attempt to control the social intercourse of Washington. That effort is vain. The public judgment on that subject is believed to be irrevocably fixed. However, under the influence of various motives, men may differ as to the character of the acts, among the vast majority of the American people, there are few, I believe, who doubt that my colleagues and myself might have retained our places in the cabinet, if, consistently with our sense of propriety, we could have taken a different view of that subject.

The charge that I was at any time the partisan of Mr. Calhoun, is utterly destitute of foundation. Mr. Eaton cannot impute to me any act or expression which will give the slightest countenance to this assertion. In the context of 1828, my wishes were openly avowed, and acted upon, in favor of Mr. Crawford. The earliest measures of the administration, which then came into power, and more especially in relation to the interests of Georgia, placed me in the opposition to that administration, and I remained there during the contest which succeeded. I entered the cabinet in 1829, as the political friend of general Jackson, with every disposition to fulfill the duties, which that relation prescribed, but with no claims upon him as an individual, and without believing that I had incurred any obligations, as such, from the fact of having been called there. These duties, however, in the view which I took of them, independently of all other considerations, were sufficient to preclude me from being the partisan of any man. On the contrary, I endeavored uniformly to inculcate the propriety of abstaining from all agitation of the question, who should be the successor of general Jackson. This exposition of my particular views would be entirely unimportant to the public, and would not have been presented to their notice, if a contrary course had not been utterly impugned to me, for the purpose of concealing from them the real causes of the dissolution of the late cabinet.

It is next imputed to me, as an act of ingratitude to a "friend and benefactor," that I omitted to communicate to general Jackson my objection to the selection of his cabinet. The indignant feeling which such a charge would be otherwise calculated to excite, is repressed by its absurdity. It is to general Jackson also to be ascribed, the entire conviction, that it has resulted from tenance from him—that in this instance at least, Mr. Eaton has drawn at short sight, and upon his own resources. I have already said, and it is now sufficiently manifest to the public, that these objections, so far as Mr. Eaton was concerned, were not merely communicated, but strongly, and yet vainly, urged upon the president, by his own personal friends. I had no claim to that relation, and such a communication on my part would therefore have been merely nugatory. I could have no hope of changing the cast of the cabinet, when those who were both the political and personal friends of the president had made the effort and failed. The only question for me to decide was, whether, constituted as it was, it was my duty to accept an office which was tendered to me, or, as I stated, in my former note, to decline it, and, under the influence of what motives, I had determined to do so.

The suggestion which we are considering demands, however, a different consideration. General Jackson is represented by Mr. Eaton as my "friend and benefactor," and my conduct is denounced for an alleged violation of the duties which he had a right to claim from me in that character. Now, as I had no acquaintance with general Jackson, other than that which occurred during a few days service with him in the senate, I could not and had never held any intercourse with him, except during that short period, his claim to the title of my friend and benefactor must have been derived solely from the fact of his having called me to the office of attorney general of the United States; and it is no doubt the idea, which Mr. Eaton intended to convey.

I confess I took a different view of the claim to be made on general Jackson, did I am not disposed to believe, that he could maintain any such pretension, as that which is put forth by Mr. Eaton, nor to consider him in that liable to the serious imputation which it implies. In the selection of his cabinet, he was bound to consult the public interest. If he did so, however much myself as incurring a debt of gratitude, I do not doubt that there were others who were entitled to his preference, but if he believed this, and believing it, conferred the office upon me in the spirit of favoritism, he failed to discharge his duty to the public, and Mr. Eaton is his accuser. I entered upon the duties of that office with feelings of respectful good will to general Jackson, for the favorable opinion which he had indicated by the selection, and with a deep sense of my obligation to the zealous and faithful discharge of my duty, which I have endeavored honestly to fulfill, but certainly without any idea that I had been distinguished as a favorite, or that I had incurred a debt of gratitude.

The wishes of general Jackson, in relation to the office of attorney general, were communicated to me, almost simultaneously, by Mr. Branch and Mr. Eaton, in each case, without any announcement of the names of my intended associates, or of the proposed policy of the administration. The fact, which will not be denied, that I asked an interview with general Jackson, which was appointed to me, for the purpose of ascertaining those par-

culars as a preliminary to my decision, furnishes a distinct negative to Mr. Eaton's assertion, that I announced to him, on the day succeeding that on which he delivered his message, my readiness to accept the office which was tendered to me. I did not in fact accept it until some time after my interview with General Jackson, and recollecting that interview, he is am sure will out-verify this assertion of Mr. Eaton.

I must be permitted also to deny the authorship of certain paragraphs, extracted from the *Telegraph*, which Mr. Eaton imputes to me. Even while I write, a similar and equally unfounded imputation by the editor of the *Globe*, has furnished a new proof of the falsity of which I am the object, and I am admonished that Mr. Eaton, although he has retired from the city, since I began to write these remarks, holds himself in readiness to return. They have been sketched hastily, and at intervals of exemption from various other claims upon my time, but I trust it will be found that I have written under the influence of this salutary caution. In regard to the principal charge, I desire to say, that what I have written, bears my signature—and it is true also that I have written, whatever it is thus verified.

I rejoice to believe that I may now be permitted to bring this address to a close. Its publication will I doubt not be followed by a reiteration of the calumnies, with which I have been heretofore assailed; but my reliance is that these will be rendered harmless by the intelligence of my countrymen.

JN. MACPHERSON BERRIEN.

Washington, 23d Sept. 1831.

BANK OF THE UNITED STATES.

CORRESPONDENCE BETWEEN SILAS E. BURROWS, ESQ.
AND THE LATE EX-PRESIDENT MONROE.

Letter from Mr. Burrows.

New York, January 7th, 1831.

My dear sir: Believing myself in your estimation one of those friends whose motives and conduct, since I had the honor of first being acquainted with you, cannot be mistaken, I take the liberty of trespassing on your goodness to obtain information which cannot be as satisfactorily received from any other source.

I am sensible our country will be happy in hearing those opinions which emanate from the revolutionary patriot who shed his blood on the battle-field, and who presided for eight years over the destinies of our country, during which period every blessing was possessed by our happy land. Will you be so kind as to give me your sentiments relative to the effect of the U. S. bank on our national currency, and what your opinion is in relation to the renewal of its charter? The situation in which the government was placed without its aid, during the last war, its general advantages in regulating exchange, facilitating the remittances of government and individuals from various parts of the union, and generally its importance connected with the best interests of our country? I am, &c.

SILAS E. BURROWS.

Col. James Monroe, late president of the U. S.

Letter from Mr. Monroe.

New York, January 20th, 1831.

Dear sir: The confidence I have in your rectitude and patriotism, will induce me to give an explicit answer to the general interrogatories contained in your letter of the 7th, though I fear that my continued weak state of health will make it less satisfactory than it otherwise might be, especially as I have none of the official documents with me which are calculated to illustrate the subject.

You ask me what is my opinion of the effect which the U. States bank has on the national currency, and as to the policy of renewing its charter?—what the situation of the government without its aid during the last war?—what its general advantages in regulating exchange, in facilitating remittances to individuals, and its general importance?

When the old U. S. bank was first instituted, I was one of those who voted against it in the senate. I doubted the power of the government under the constitution to make such an establishment, and was fearful that the influence which it would give to the government over the moneyed concerns of the union, would have a very improper effect on our free system. The bank was instituted soon after the government was adopted, and at a period when the question of the relative powers of the two governments excited great feeling, and divided the congress and the union into very jealous and violent parties. I was of that party which construed the powers of the national government strictly, and sought to impose on it correspondent restraints. So far as any

change has since taken place in my opinion, it has been the result of experience, and prompted by a belief that such change would give strength to the system, and not weaken or endanger it.

Between such a bank, and any arrangement which the government can make, the alternative must be between a bank of the government itself, and under its exclusive control, a reliance on its own resources and surplus funds, deposited in a manner to produce the best effect, and a dependence on the banks of the several states. I have no hesitation in declaring it as my decided opinion that neither of these could accomplish the great objects contemplated, and that each of them is liable in other respects to the most serious objections. To a bank of the government, this remark is applicable in both views, and with peculiar force in the latter. If confined to the metropolis, it could not extend its discounts beyond a very limited circle, nor its agency as a deposit for the revenue received in the several states—nor for remittances to individuals—and for other objects it would be equally limited. Such an institution requires an active supervision by those for whose benefit it is intended. The regular official duties of all the departments in the executive render it impossible for that branch to perform that service without an interference with those duties to the injury of the public. If branches should be established, their position might enable them to remedy some of the defects stated, but they would accumulate others of much greater force. The interference with the constitutional and regular duties of the executive would, in the same degree, be increased. But that is comparatively a slight evil. A bank thus instituted being under the control of the executive, by the appointment of its directors, and in all its operations, might, in the hands of a bad administration, be wielded as an instrument to sap the foundation of the government itself. Appeals would be made to the government from every part of the union, for its influence in obtaining discounts, and thus a solution might be practised to a great extent for the worst purposes. The influence would be reciprocal. Those connected by such a tie with the government would be hooked to for support at elections, who would not fail to render it. Thus the revenue of the nation, raised by taxes on the proper objects to support their free government, might be made an instrument to its overthrow.

The second alternative suggested, a reliance on the surplus funds, for the accomplishment of the objects contemplated, it must be obvious, must fail in every instance. The revenue of a government is generally limited to certain specified objects, according to an estimate for each, and to which it is appropriated. The fund raised, sometimes falls short of the object. It seldom exceeds it in any considerable amount. For the want of a surplus it must lie idle in the treasury until appropriated, and if appropriated as a provision for an emergency, for war for example, it must still lie idle in the treasury, until that event occurs, or be loaned out. It could not be idle. The whole nation would revolt against it, and if loaned out, it might be impossible to obtain it when called for, and might even be lost. In this mode, the regulation of the value of the currency, of exchange, and of rendering service, by facilitating remittances, would be abortive. The third alternative which has been suggested, a reliance on the state banks, would be equally unproductive. The government would require no aid except in time of war, when immense sums would be necessary, which could be procured only by loans, and when application should be made to them, there is good cause to apprehend that each would endeavor to obtain the best terms it could. There is no particular bond between them and the national government, and, impelled by their interests and that of the stockholders, it is natural that they should pursue that course. Should such an emergency arise as menaced the overthrow of the government, the interest thereby excited might be paramount, and force the banks, under the direction of the stockholders, to unite in a common effort to save the country. But the great object is to prevent such a crisis by a command of funds, which would enable the government to arrest it. In every other object the state banks would fail. There being no standard to which all must adhere, no connection between those of the differ-

ent states, and many of them with limited funds, and in embarrassed circumstances, they would neither regulate the value of coin, of exchange, nor facilitate remittances.

A national bank occupies different ground. Connected with the government by its charter, and its capital, which consists of stock, in which the government participates in a certain degree, there is no instance in which, on principle, there can be a difference of interest between them, and many powerful considerations by which the interest of the bank must stimulate it, to support the credit of the government in any situation in which it may be placed. If the credit of the stock should sink, the capital of the bank would decline in equal degree: the effect of which would be felt in all its operations. Its paper would depreciate, and a check given to its circulation, if not an entire suspension. Standing at the head of the moneyed operations of the government, it is its intermediate agent in making remittances to banks and individuals throughout the union, and likewise between individuals, from which much credit and influence are gained, if not profit. It has the means, and may be considered as the most powerful agent in raising and sustaining the circulating medium on a par with specie throughout the union, and of elevating the state banks to that standard, by subjecting them to the necessity of reaching and adhering to it, to sustain their credit, and even their existence. Let the credit of the government sink, and all these advantages are lost. The bank therefore, from a regard to interest, is bound to sustain it. The directors, except the few appointed by the government, are elected by the stockholders, and are amenable to them. It gives its support, therefore, to the government, on principles of national policy, in the support of which it is interested, and would disclaim becoming an instrument for any other purpose.

The view above presented is supported by experience, and particularly by the events of the late war. When the war commenced, the government had not the funds which were necessary to support it, and was in consequence forced to resort to loans, which were with difficulty obtained from any quarter, even in a limited degree, and on unfavorable terms. I have not the official documents before me, and cannot state the sources from which any loans were obtained, nor the conditions, with the decline of the public credit as the war advanced. I well remember, however, that when I was called by the president to the department of war, on the 31st of August, 1814, the certificates of the treasury were selling at \$80 in the \$100, by which \$20 were lost. It was evident that if a reliance was placed on the sale of certificates only, that a still further decline would ensue, and that the worst consequences might be apprehended. The country was invaded through the whole inland and maritime frontiers, and powerful squadrons were at the mouth of every bay and river leading to our principal cities, which were threatened with attack and ruin. The metropolis of our union had been forced, and its public buildings destroyed. Such was the state of the country, and the funds, when I entered the department of war. Under such circumstances, an appeal was made to the patriotism and interest of the cities, and banks within them, by the department of war, with the sanction of the president, for loans of money necessary for their own defence, for that of the maritime frontier, and the union. For the first loan that was obtained, one million of dollars from the city of New York, which took place a few days after I entered the department, no price was fixed. As the treasury notes were selling for \$80 in the \$100, that was claimed, but not accepted to. It was left for subsequent adjustment, to be settled on fair principles. Several millions of dollars were obtained from the District of Columbia and principal cities throughout the union, and, according to my recollection, at par. This proves that until the union is threatened with ruin, no loans can be obtained in emergencies, without a national bank, otherwise than at a great sacrifice. These considerations led to a change in my opinion, and induced me to concur with the president in the propriety of instituting such a bank after the conclusion of the war in 1815. As to the constitutional objection, it formed no serious obstacle. In voting against it in the first instance, I was governed essentially by policy. The construction I gave to the constitution I considered a strict one:

In the latter instance, it was more liberal but, according to my judgment, justified by its powers.

The above sketch contains my sentiments on the subject of your several interrogatories, which I communicate to you not for public view, but in a spirit of confidence. Since my retirement I have sought to avoid all political controversies. Having concurred with the president in the propriety of instituting the latter bank, my opinion was not withheld, and is, I presume, known, as that it remains unaltered. Should a justification of my conduct for the change of sentiment in the interval between the institution of the first and second bank become necessary, or any other appeal is made, to make it a public duty to explain the cause of that change, I shall not withhold it. I shall be attentive to the course of events, and not fail to perform that duty, should either call be made on me.

I am, dear sir, with great respect and sincere regard,
yours
JAMES MONROE.

Silas E. Burrows, esq. New York.

NATIONAL ANTI-MASONIC CONVENTION.

Necessity, in the mechanical department of our business, and the near close of the week, forbids a present insertion of the regular minutes of this convention, with a list of the members attending, &c.—but these are chiefly matters for record only, and will not lose any part of their interest by a little delay—the people, generally, being chiefly concerned in the result, which shall be stated below. It may be sufficient to observe that about 112 delegates attended—Massachusetts, New York and Pennsylvania being fully represented—that on Monday the 26th, the convention was organized by the appointment of JOHN C. SPENCER, esq. of New York, as president, four vice presidents and as many secretaries; and that several committees were appointed, &c.—that on Tuesday, the 27th, various reports of the committees were presented and accepted, and much incidental business attended to—and that, on Wednesday, the 28th, WILLIAM WIRT, of Maryland, was nominated as president of the U. States, and AMOS ELLMAKER, of Pennsylvania, as vice president; each receiving 108 votes of the 111 members present—after which, and in conclusion, the following proceedings were had.

National anti-masonic convention, Sept. 28.

Resolved unanimously, That WILLIAM WIRT, of Maryland, be nominated as the anti-masonic candidate for the office of president of the United States at the ensuing election.

Resolved, That a committee of three members be appointed to communicate the preceding resolution to Mr. Wirt, and request his acceptance of the above nomination.

Mr. Rutherford, of N. Jersey, Mr. Sloan, of Ohio, and Mr. Elder, of Pennsylvania, were appointed the said committee.

At the meeting of the convention at 8 o'clock, P. M. the following communication from Mr. Wirt was received:

Gentlemen: The unanimous resolution of the "national anti-masonic convention" assembled at this place, nominating me as their candidate for the office of president of the United States, at the ensuing election, is an honor very grateful to me, as a proof of confidence from so respectable a body, and quite as unexpected as it is grateful. My pursuits, habits and inclinations, have removed me so far from the political excitement and contentions of the day, and I know so well, from a close personal observation of twelve years, how little of attraction there is in the office of president of the United States, to any man who values his own peace, that it was as far removed from my wishes as my expectations, that it would occur to any portion of my fellow citizens to present my name to the consideration of my countrymen for that office. Not only have I never sought the office, but I have, long since, looked at it with far more of dread than of desire, being fully aware of its fearful responsibilities, and of the fact, demonstrated by past experience, that no degree of purity and intelligence that can be exerted in the discharge of its duties, can protect its possessor from misrepresentation and aspersion.

Give me leave to add, gentlemen, that one of the last quarters from which I could have anticipated such an

honor, is the anti-masonic convention; because, adopting, (too hastily, I am happy to find), the current rumors of the day, I had supposed that the very principle of your union was a war of indiscriminate proscription against all persons throughout the United States, who had ever borne the name of mason; that you would put in nomination no person who had ever been a mason himself, and who would not, moreover, pledge himself to become a party to such a war of indiscriminate extermination, and wield the appointing power of the office under your dictation; who would not, in short, become the president of your party, instead of being the president of the United States. I am happy to find that this is an error; for I should have been grieved for my country, to see the rise of any party that should affect to seize upon the reins of government, and, through the agency of an automaton president, to direct its powers to the vindictive purposes of party proscription and persecution; and I should be grieved, for myself, to learn that there had been anything in my life and character that could mark me out as a fit instrument for the execution of such a purpose. I am relieved from both these apprehensions by learning, since your assemblage here, that you have no other object in view than, in effect, to assert the supremacy of the laws of the land, that you seek to disturb no portion of the peaceable and virtuous citizens of our country in the enjoyment of those social rights which are secured to them by their constitution and laws, but on the contrary, that the principle which has emboldened you, is one of self defence, in the enjoyment of those rights; that having become convinced by the disclosures made under oath, by numerous and respectable witnesses, in the trials which have been agitating the state of New York, for several years, and by your investigations consequent on those disclosures, that the masonic society has become a tremendous political engine, with the power and the disposition to set the laws of the land at defiance, to mark out and sacrifice its victims at pleasure, and with impunity, and to silence all individual opposition by the mysterious terrors which it diffuses throughout the community, you have come to the determination to root out this noxious institution, if you can, *by the use of all the peaceable, legal, and constitutional means in your power*; that the most effective means of this character which has presented itself to you, is by the exercise of your elective franchise; that deeming every man unfit for office, who, in accordance with the principles established on the trials in New York, considers his masonic oaths and obligations as superior to his obligations to the constitution and laws of the country, you will support no man for any office who holds that principle, or adheres to the society whose principle it is; that you consider a man's allegiance to his country his highest earthly obligation, and that no man is fit to be trusted with one of the offices of the country who will permit a doubt to rest on the fact of his allegiance. These I understand to be your principles, and I see nothing in them which does not commend them to every man whose mind and heart are sound; for there can be no question among reasonable men, that in a free government like ours, the constitution and laws are our only sovereign; that the peace, order, prosperity and happiness of our people depend on the steady, faithful and effectual administration of our laws; that any secret society which, by the force of its mysterious oaths and obligations, and by the extent of its combination, seeks to disturb the action of those laws, to set them at defiance, to ride over and control them, to usurp the government, to hold the lives, peace and happiness of society at their mercy, and to establish a reign of terror over the initiated and uninitiated, is a political monster as fearful as the *invisible tribunal* of Germany, or the *inquisition* of Spain, and ought to be extirpated, without delay, by the use of all the peaceable means which the constitution and laws of our country furnish. I am further sure that, in our country, it is but necessary to establish the fact of the existence of such a society to insure its annihilation.

But, gentlemen, although your resolution asks of me no pledges of promises, yet the name and style of the convention from which it proceeds, the *anti-masonic convention*, may be considered both by yourselves and our fellow citizens, at large, as necessarily involving by

implication such promises and pledges, and it is therefore proper that I should be perfectly open and candid with you, that there may be no misapprehension between us, and that you may be able to disembarass yourselves at once, by changing your nomination, if you find that you have acted under mistake in passing this resolution.

You must understand, then, if you are not already apprized of it, that, in very early life, I was myself initiated into the mysteries of free masonry. I have been told by masons that my eyes were never opened, because I never took the master's degree; but my curiosity never led me thus far—and, although, I soon discontinued my attendance on lodges, (not having entered one even from curiosity for more than thirty years, I believe) it proceeded from no suspicion on my part that there was anything criminal in the institution, or any thing that placed its members, in the slightest degree, in collusion with their allegiance to their country and its laws. On the contrary, having been before my initiation, assured by a gentleman, in whom I had implicit confidence, that there was nothing in the engagement which could affect either my religion or politics (which I considered as comprehending the whole range of my duties, civil and religious, and as extending not to the first degree only but to the whole masonic order) and being further informed that many of the most illustrious men of Virginia, with general Washington at their head, belonged to that order, and had taken the degree of master, I did not believe that there could be any thing in the institution at war with their duties as patriots, men and christians; nor is it yet possible for me to believe that they could have understood the engagement as involving any such criminal obligations. I have, thence forward, continually regarded masonry as nothing more than a social and charitable club, designed for the promotion of good feeling among its members, and for the pecuniary relief of their indigent brethren. I have, indeed, thought very little about it for thirty years. It had dropped from my mind so completely that I do not believe I should have been able to gain admittance into any lodge at all strict in their examinations, where I should have had to depend alone on my memory; and so little consequence did I attach to it, that whenever masonry has been occasionally introduced as a subject of conversation, I have felt more disposed to smile than to frown. Thinking thus of it, nothing has more surprised me than to see it blown into consequence in the northern and eastern states as a political engine, and the whole community excited against it as an affair of serious importance. I had heard, indeed, the general rumour that Morgan had been kidnapped and very probably murdered by masons, for divulging their secrets; but I supposed it to be the act of a few ignorant and ferocious desperadoes, moved by their own impulse singly, without the sanction or knowledge of their lodges; and thus thinking, I have repeatedly and continually, both in conversation and letters of friendship, spoken of masonry and anti-masonry as a fitter subject for farce than tragedy, and have been grieved at seeing some of my friends involved in what appeared to me such a wild and bitter and unjust persecution against so harmless an institution, as free-masonry. I have thought and repeatedly said that I considered masonry as having no more to do with politics than any one of the numerous clubs so humorously celebrated in the *Spectator*; and that with regard to the crime in Morgan's case, it was quite as unjust to charge that on masonry as it would be to charge the private delinquencies of some professing christians on christianity itself. Thus I have thought and thus I have continually spoken and written in my private letters to several of my friends. It was not until the period of your assembling here, that on the occasion of a friendly visit from one of your members, and my taking the liberty to rally him on the excessive zeal which had been excited on an occasion so inadequate, that he placed before me a detail of some of the proceedings on the trials of the conspirators against Morgan; when, for the first time, I saw the masonic oaths as established by the testimony both of adhering and seceding masons on the trials in New York. I observed that in one of them (called the royal arch) the candidate swears among other things that he will aid and assist a companion royal arch mason in dis-

treas, and espouse his cause so far as to extricate him from the same, if in his power, *whether he be right or wrong*, and that he will conceal the secrets of a companion royal arch mason given him in charge as such, *murder and treason not excepted*; and in other oaths, in still higher degrees, I also observe that the candidate binds himself to avenge the violated secrets of the lodge by the infliction of death on the offender, and to revenge the wrongs of a brother to the utmost extremity; and the whole mixed up with the most horrible imprecations and blasphemous mockeries of the rites and tenets of the christian religion.

In the details of the trials in the case of Morgan it became manifest that these oaths are not considered by those who impose and take them as mere idle and unmeaning words; but that they are viewed as solemn obligations which are to be practically enforced, and which in the case of Morgan there is too much reason to believe were *tragically* enforced. According to the reports of the details of that trial as given at some of your former meetings, and given at greater length at your meetings in this city, (at one of which, in common with other citizens, I was present), those oaths are understood literally, and literally enforced; and, according to the exhibition of the evidence made in those reports, the conspiracy against Morgan was not, as has been commonly supposed, the act of a few ignorant men, alone; but was engendered in the lodges themselves, entered under their direction and supported at their expense, the conspiracy embracing, within its sweep, men of all degrees, men of the learned professions, farmers and mechanics; with too much reason to believe that the secret energy of the masonic spirit had entered and polluted even the temples of justice; and with the most demonstrative proof that the persons who had entered into these unhallowed oaths, considered their allegiance to the lodges as of higher obligation than their allegiance to the laws of their country. If this be masonry, as according to this uncontradicted evidence it seems to be, I have no hesitation in saying, that I consider it at war with the fundamental principles of the social compact, as treason against society, and a wicked conspiracy against the laws of God and man, which ought to be put down.

But gentlemen, this was not, and could not be masonry as understood by Washington. The thing is impossible. The suspicion would be parrieide. Nor can I believe that in the quarter of the union with which I am best acquainted, intelligent men of high and honorable character, if they have been drawn in to take these shocking and impious oaths, can consider them as paramount to their duties to their God and their country. It is true that after the practical exhibition of masonry which we have had in New York, no man of common prudence can sleep over these discoveries, and will take care in every case of doubt to inquire. But both justice and prudence demand discriminations for the powers of a president ought not, in my opinion, to be prostituted to the purpose of a blind and unjust proscription, involving innocence and honor with guilt and treason, and no man is worthy of a nomination to this high office in whose judgment and patriotism, confidence cannot be placed to make the proper distinction between them. "In the view of all honorable men he would deservedly become an object of disgust, if he could stoop to commit himself by any pledges, in a case like this, as the price of his nomination.

If with these views of my opinions, it is the pleasure of your convention to change the nomination, I can assure you very sincerely that I shall retire from it with far more pleasure than I should accept it. If, on the contrary, it be their choice to abide by it, I have only to add, that in a government like ours, I consider no citizen at liberty to reject a nomination by so respectable a body, upon personal considerations.

Be the final determination of your convention what it may, I shall ever retain a grateful sense of the honor conferred on me by this nomination, and I beg the anti-masonic convention to accept the assurance of my respect for them and for their cause. I do not address them as a party, because I understand the principle of their union to be, *to assert the supremacy of the laws;*

which I trust is and ever will be the sacred and immutable principle of our common country. WM. WIRT.

Messrs. Rutherford, Sloan and Elder, committee of the national anti-masonic convention.

Baltimore, Sept. 28, 1831.

The communication having been read, the following resolution was adopted:

In the national anti-masonic convention, Baltimore, 28th September, 1831.

Resolved unanimously, That the answer of the hon. WILLIAM WIRT, to the resolution of this convention, nominating him as a candidate for the presidency, be entered on the minutes of this convention, as part of its proceedings, and that this convention recommend to their fellow citizens throughout the United States, a cordial and vigorous support of Mr. WIRT, at the next election, as the anti-masonic candidate, for the office of president of the United States.

Resolutions of similar purport were unanimously adopted by the convention, nominating AMOS ELLMAKER, of Pennsylvania, as the anti-masonic candidate for the office of vice president of the United States: And, for the appointment of a committee to announce to him the nomination.

At the meeting of the convention, at 8 o'clock P. M. the following communication was received from Mr. ELLMAKER:

Baltimore, September 28, 1831.

Messrs. John Bailly, John S. Shriver and Samuel P. Lyman.

GENTLEMEN:—I acknowledge with much satisfaction the friendly manner in which you have communicated the two resolutions this day adopted by the national anti-masonic convention: one, nominating me as the anti-masonic candidate for the vice president of the United States at the ensuing election; the other, appointing you a committee to communicate the preceding resolution to me and to request my acceptance of the nomination.

I know well, my humble pretensions to be a candidate for that high office. But a zealous and firm attachment to the cause of anti-masonry, will not permit a refusal of the nomination. I, therefore, accept it.

With great respect, I am, gentlemen, your obedient servant,

AMOS ELLMAKER.

The communication having been read, a resolution of like import with that above set forth in the case of Mr. Wirt, was unanimously adopted by the convention.

The convention then proceeded to the transaction of other business connected with the objects in view.

Mr. Helley from the committee charged with that duty, reported an address to the people of the United States, which was read and unanimously adopted, and ordered to be published. This address though occupying upwards of an hour in the reading, was listened to with the most profound attention by the audience. Several members made pertinent and able speeches in which they spoke of it in warm and glowing terms, complimented the author on the research and ability there displayed.

A resolution was offered by Mr. Phelps of Mass. and adopted, recommending a national anti-masonic convention to be held in September, 1835, in the city of Washington, unless otherwise ordered by the central committee of correspondence.

A vote of thanks was passed in favor of the central committee of correspondence, and for the continuance of their appointment till after the next presidential election.

A resolution was unanimously adopted thanking the president of the convention for the ability and impartiality displayed in the discharge of his duties, to which he responded in an eloquent and feeling address. A vote of thanks was also passed in favor of the other officers of the convention, for the prompt and able manner in which they had discharged their assigned duties. About 12 at night, the convention adjourned *enue die*.

ANTI-MASONS AND GOV. LINCOLN.

From the Boston Free Press.

Boston, Sept. 6, 1831.

His excellency governor Lincoln,

SIR,—At a convention of the anti-masonic members of the senate and house of representatives of this com-

monwealth, holden at the state house in Boston on the evening of the 17th of June last, it was recommended by resolve to the state anti-masonic committee of Massachusetts, to call a convention at such time and place and in such form as to them shall seem expedient, for the purpose of nominating candidates to be supported by the anti-masonic party at the gubernatorial election in November next.

The subject thus submitted to the undersigned committee, necessarily involves high and very delicate responsibilities. The frankness of your character, and your known republican principles are a sure guarantee, that you will not withhold from the people an explicit avowal of your sentiments, on all subjects where their rights and liberties are concerned.

You are aware that for five years past, disclosures have been made of the nature and principles of free-masonry, calculated to excite astonishment and alarm among a free people. These disclosures have occupied the attention of various state legislatures, of numerous county and state conventions and of one convention of eleven states of this union. About sixty members of the fraternity have been indicted, after the greatest difficulties, for crimes of the most odious character. These supposed criminals have not all been arraigned. Several have been brought to the courts of law, but not to justice! Free-masonry occupied the seat and justice was no longer there!

The same masonic government, the same oaths, obligations and penalties, which occasioned these wrongs in a neighboring state, exist with equal authority and force in this commonwealth, and so long as freemasons will adhere to them, the community is not safe. Anti-masons therefore are frank to avow their sentiments. They believe the existence of freemasonry to be dangerous to liberty, injurious to morality, detrimental to religion and wholly incompatible with our free institutions.—They wish, by peaceable, lawful and honorable means, to destroy the masonic institution, and not to injure free masons; but to bring them, as men and good citizens, back to their country.

The means they propose are free and public discussion—the truth and nothing but the truth, published and circulated on the subject of masonry and anti-masonry—and the use of the ballot box. But their suffrages cannot be given merely for the honor or profit of any anti-mason. They have much higher objects in view in the use of the ballot box. In addition to supplying the most suitable men for the various offices of government, it is to hold up the subject of masonry at every election, until *public sentiment* shall decree its annihilation.

The profound respect and personal regard, entertained for yourself by the anti-masons of Massachusetts, now increasing in a ratio unparalleled in the history of parties, induce the undersigned, in their behalf, to solicit, at least a brief expression of your sentiments, in reply to the following *questions*, with permission to use the same in such manner as may be deemed advisable.

Do you consider freemasonry a positive evil?—And if so, are you disposed to unite with the anti-masonic party in the use of peaceable, lawful and honorable means not inconsistent with the station you now occupy, in order, to free our country from the dominion and influence of freemasonry.

Your compliance with this request as soon as your convenience shall allow, will confer renewed obligations upon,

Sir, very respectfully,

your fellow citizens,

ABNER PHILIPS,	WM. MARSTON,
GEORGE ODIORNE,	DANIEL WELD,
JOHN D. WILLIAMS,	JACOB HALL,
HENRY GASSETT,	BENJ. V. FRENCH,
BENJ. W. LAMB,	JOHN P. WHITEWELL,
THOMAS WALLEY,	JONATHAN FRENCH.

GOV. LINCOLN'S ANSWER.

Worcester, September 13, 1831.

GENTLEMEN—I had not the honor to receive until the 10th inst. your letter, under date of the 6th, and I have to regret, that in addition to this delay, the pressure of antecedent engagements has not permitted a

more prompt reply to the interesting matter of its contents. The great respect which I sincerely entertain towards those who have addressed me, among whom I have the pleasure to recognize political and personal friends, some of whom have had opportunity, heretofore, of knowing intimately my opinions upon public subjects, and of closely observing the course of my official conduct, demands, that I should give an attentive and deliberate consideration to any subject, which they may deem worthy of formal communication.

Your letter contains an expression of the opinions of the anti-masonic party upon the character, influence, and tendency, of the institution of free-masonry, and conveys information of the proceedings of a convention of the anti-masonic members of the senate and house of representatives of this commonwealth, with a distinct intimation of your own views, in reference to the gubernatorial election in November next, and concludes with a request for "an expression of my sentiments in reply to the following questions, with permission to use the same in such a way as may be deemed advisable."

"Do you consider freemasonry a positive evil? And if so, are you disposed to unite with the anti-masonic party in the use of peaceable, lawful and honorable means not inconsistent with the station you now hold, in order to free our country from the dominion and influence of freemasonry?"

Before considering these precise interrogatories, I beg leave to advert to the manner and time in which they are proposed, as the occasion of much embarrassment, by placing me in a situation of peculiar delicacy, expressed, at least, in whatever way I may treat them, to misapprehension, and possibly even, to ungenerous and painful suspicion. It cannot be unknown to you, that at a convention of members of the legislature, in the month of June last, I was nominated for re-election, which nomination was then accepted, and that I now stand in the attitude of a candidate for the public suffrage.—Having been brought into the high office, which I have the honor to hold, and been thus long sustained in it by the favor of my fellow citizens, without the slightest personal effort to procure either its original bestowment, or subsequent continuance, except in earnest endeavors faithfully and acceptably to discharge its duties, I can never consent to dishonor the station by making it the object of private solicitation, compromise of principle, or of commitment to the arrangements and purposes of any party. If pledges for the future course of administration are now to be required of me, they will be given, by reference to former frank and explicit avowals of opinion on all known subjects of public moment, and to the character of past measures of executive action, rather, and better to be relied upon, than protestations and professions in view to a nomination to office, which can be brought to the test only in the event of a favorable issue to an election.

The subject of speculative freemasonry has never yet required the official engorgance of the executive department of this commonwealth. Neither that, nor its opposite, in any instance, hitherto, has been obtruded upon the councils of the state. With the former, it is well known, I have repeatedly disclaimed any association or sympathy, and the influence of the latter, as a motive to political and official action, has been as little felt in the administration of the government. With this state of things, I have reason to believe the great majority of my fellow citizens have, thus far, been content. But your letter, if I mistake not its import, suggests, in this respect, a new position for the executive to assume. In the reference made by you to the ballot box, and the avowed determination to carry the subject of freemasonry into our political elections, accompanied with the information that a convention is yet to be called for the purpose of nominating candidates to be supported by the anti-masonic party, at the gubernatorial election, there is a distinct admonition, that these candidates are to be selected with regard to their anti-masonic opinions, and that the honor of your support will be bestowed upon those only, who would give the influence of office to the measures of a party, professedly organized for the promotion and success of anti-masonry. Under such circumstances, with what propriety I could comply with

any requirement, as a precedent condition to my own nomination, I humbly and respectfully submit to yourselves, in the exercise of a spirit of liberality and candor, to consider.

It therefore, in answer to your particular inquiries, the fact of my entire freedom from any connexion, at any and at all times, with the institution of freemasonry; if the most vigilant and cautious watchfulness to discover and guard against its attempted or supposed influence or bias in the administration of the government, a belief that the institution is wholly unnecessary and useless to the objects which it professes, and from its secrecy, is easily susceptible, under the direction of bad men, of being made an instrument of much mischief to the community; that its initiatory rites and mystical ceremonies, its obligations and penalties, in their form and manner as now disclosed and published, are justly reprehensible and offensive; the opinion that all extra-judicial oaths are unlawful, and that any engagement which may conflict with moral principle, or is inconsistent with fidelity to the state is, in itself, immediately and absolutely void,—if the deepest abhorrence and reprobation of the tragic scene acted in a neighboring state, and equal regret and indignation that the instigators, agents, and abettors in that foul deed of secret murder, the accessories before or after the fact, whoever they may be, and however associated, have been able, hitherto, triumphantly to evade the demands of justice and escape merited conviction and punishment,—if these opinions and sentiments long entertained, and at all times freely expressed, are not satisfactory, I have nothing further to offer. I have neither professions nor stipulations to make for the present occasion. The administration of government should never be identified with the measures of party. Sincerely and earnestly as I desire the dissolution and extinction of the institution of freemasonry, and greatly as I should rejoice in the voluntary abandonment of it by its members, from a conviction, that, at the best, in its character of secrecy and mystery, it is obnoxious to the spirit of republican jealousy, and has become the occasion of alarm and apprehension to many good and intelligent minds, and of excitement, division and dissensions among the people. As the chief magistrate of the commonwealth, I can unite myself with no combination of men, in means for its suppression. Neither can I consent to carry the controversy which exists on this subject, by the appeal of one portion of my fellow citizens against another, strike my constituents, into the chair of state. Believe me, gentlemen, this would be doing violence to the best interests of the community. It were indeed monstrous to doubt, that among masons there are loyal citizens and true hearted patriots, men who, although adhering to the craft, bear yet greater love to their country, to whom the mystic tie never suggested the possible violation of a moral principle, and who would not recognize an obligation inconsistent with the performance of every social and civil duty. When to this character is added talents and pre-eminent qualifications for usefulness, the people have a right to the services of such men in office, of which they are not to be deprived by the application of a principle of exclusion unknown to the laws and the constitution.

While I remain in the administration of the government, I shall endeavor steadily, impartially and independently, to pursue the great interests of the commonwealth, not suffering myself to be entangled in connexions with any party, but seeking the advice and grateful for the aid of the intelligent, the discreet, and the patriotic of all parties. If in this, I do not practically adopt the opinion, expressed in your letter, that "our country is under the domination and influence of freemasonry," nor yet subscribe to that other sentiment, that, "freemasons are to be brought, as men and good citizens, back to their country," it is because, that, in this favored commonwealth, the land of good institutions, of schools, and bibles, and moral and religious observances, I cannot distrust the fidelity of a numerous class of my fellow citizens, nor see elsewhere, in the errors and crimes of a few misguided, deluded, wretched men, evidence of the degradation and servitude of the nation.

For the very flattering assurances of respect and personal regard entertained towards me by the anti-masons

of Massachusetts, which you are pleased to express, I beg you to accept my grateful acknowledgements.—These sentiments could have been received by me with satisfaction, only in the consciousness, that with purity of motive and singleness of purpose, I have devoted the best of my humble abilities impartially to the services of all my fellow citizens in the duties of the station which their unnumbered favor conferred upon me.

I have the honor to be, gentlemen, with the most respectful consideration, your obedient servant.

LEVI LINCOLN.

To Abner Phelps,	[J. P. Whitwell,
George O'Brien,	William Murston,
Jacob Hall,	Henry Gassett,
John D. Williams,	T. Walley,
Benj. W. Lamb,	Daniel Weld and
Benj. V. French,	Jana. French, exquires.

¶ The "Boston Patriot" with reference to the preceding correspondence, says:

We place in our columns to day an interesting correspondence between governor Lincoln and the anti-masonic committee for this commonwealth. Governor Lincoln was addressed by the committee on the avowed object of obtaining his views of anti-masonry. Notwithstanding the delicacy of his present situation—he being the candidate of the national republican party for re-election as governor—he has not declined to answer the questions addressed him; but has frankly declared his unfavorable opinion of "speculative free-masonry,"—and as frankly has expressed his determination not to be made the leader of a crusade of political extermination against those who conscientiously differ from him in this opinion. His letter speaks the language of an honest and independent statesman. We hope it will be carefully and generally read; for we believe it will give gov. Lincoln a new and lasting claim to the confidence of his constituents. Anti-masons, at least those who do not expect from the governor any thing "inconsistent with the station he now occupies"—we should suppose would be satisfied with it.

An anti-masonic convention is summoned to be held in this city, October 4, for the purpose of nominating candidates for governor, &c.

And the "Boston Gazette" observes—The letter of governor Lincoln, we understand is not satisfactory to the anti-masonic state committee, who have notified the several county committees to meet in convention, in this city, on the 4th of October next, to nominate a candidate in opposition to him. Lieutenant governor Winthrop, it is said, has sent the committee a letter which they consider highly satisfactory; he will probably be nominated for re-election as anti-masonic candidate. Hon. Samuel Lathrop is spoken of as the anti-masonic candidate for the office of governor. Mr. Merrick of Worcester, general Hoyt, and some other gentlemen, are also named for the same office. We shall have warm work in November.

MEXICAN REPUBLIC.

We are glad to see by the following, that this long and much distracted country, has a present prospect of internal peace. Let the generals become farmers, and manufacturers, and all will be well.

The national congress convened at the capital on the 1st August. The session was opened by a speech from the vice president Bustamante, as follows:

Fellow-citizens, deputies and senators:
The circumstances under which the ordinary session of the present year was opened, required that the attention of congress as well as that of government should be fixed exclusively on the discussion of the measures, which, having for their object the re-establishment of peace, should have been considered of absolute preference. Now that this great and important end is obtained, the executive, with the advice of the council of government, calls you to a new task, and presents for your enlightened deliberation those subjects which then could not be taken into consideration, and which on account of their urgency and importance I announced to you at the time that the convocation of an extraordinary session would be indispensable.

Therefore, gentlemen, you will have to occupy yourselves with the ratification of the treaties concluded with several powers, which treaties, while they confirm to the republic the degree of consideration which it is entitled to among the sovereign and independent nations, establish our foreign relations by the solemn recognition of our political existence.

Many branches of the internal administration will claim equally your attention, whether it be the improvement of the public treasury, and the administration of justice, or the advancement of industry, or finally, the regulation of the army and navy.

The nation finds itself at this day in a state to unfold all its elements, so as to arrive in a short time at that prosperity which it is promised with, by its situation, its climate, its natural wealth, and the liberty of its institutions. All nations that have been wearied with repeated calamities, of which, unfortunately, we have not been exempt, have confessed that the happiness of a nation is not enjoyed without the strict observance of the laws, and a due respect to the constituted authorities; and experience has taught them that the excesses of demagogues are no less ruinous than the oppression of tyrants, and that order and moderation only, secure the general good of societies as well as the particular happiness of its individuals. Encourage, gentlemen, these excellent dispositions with the wisdom of your measures, and the Mexican people will ere long be the most happy of the universe.

FIRST LAW AGAINST SLAVERY.

The following document is said to be the first act of any government designed to prevent enslaving the negroes. It was recently copied by the venerable Moses Brown, of Providence, from the records of the colony of Rhode Island, and inserted in a Providence paper. It does great credit to Rhode Island.

"At a general court held at Warwick, the 18th of May, 1652.

"Whereas there is a common course practised among Englishmen, to buy negroes to that end they may have them for service or slaves forever; for the preventing of such practices among us, let it be ordered, that no black mankind or white being shall be forced, by covenant, bond, or otherwise, to serve any man or his assignees longer than ten years, or until they come to be twenty-four years of age, if they be taken in under fourteen, from the time of their coming within the liberties of this colony—at the end or term of ten years to set them free, as the manner is with the English servants. And that man that will not let them go free or shall sell them away elsewhere, to that end they may be enslaved to others for a longer time, he or they shall forfeit to the colony forty pounds."

To the credit of the members that enacted this law says Mr. Brown, I subjoin their names from the record.

The general officers were John Smith, president; Thomas Olney, general assistant, from Providence; Samuel Gorton, from Warwick; John Green, general recorder; Randal Holden, treasurer; Hugh Bewett, general sergeant.

The commissioners were from Providence,—Robert Williams, Gregory Dexter, Richard Waterman, Thomas Harris, William Wickenden, and Hugh Bewett; from Warwick, Samuel Gorton, John Wickes, John Smith, Randal Holden, John Green, Jr. and Ezekiel Holliman.

"NEGRO COLLEGE."

From the New Haven Palladium.

"Our readers, no doubt, will be surprised at the caption of this paragraph, and will wonder what we mean by 'Negro College.' We will inform them that we mean, without any jesting, to say that there has been an attempt, a serious attempt, to get up an institution in this place for the education of colored men. The blacks for a few years past have been treated with attention and kindness by the inhabitants of this city. Two or three of our citizens have devoted much time and money for bettering their condition, but the zeal of a few has constantly increased, until a project has been brought forward, which if carried into execution would ruin the prosperity of the city. New Haven was fixed upon, by the convention held in Philadelphia some time since, for the location of a black college. Our citizens called a public meeting to take the subject into consideration, and the following resolutions were advocated by Judge Daggett, N. Smith, R. I. Rogers, and

and J. H. Townsend, esqrs. and adopted by about 700 freemen. The rev. S. S. Jocelyn and three others opposed, and voted against them.

At a city meeting, duly warned and held at the city hall, in the city of New Haven, on Saturday, the 10th day of September, 1851, to take into consideration a project for the establishment in this city of a college for the education of colored youth, the following preamble and resolutions were unanimously adopted, viz:

Whereas endeavors are now making to establish a college in this city for the education of the colored population of the United States, the West Indies, and other countries adjacent; and in connection with this establishment the immediate abolition of slavery in the United States is not only recommended and encouraged by the advocates of the proposed college, but demanded as a right; and whereas an omission to notice these measures may be construed as implying either indifference to, or approval of the same:

Resolved, That it is expedient that the sentiments of our citizens should be expressed on these subjects, and that the calling of this meeting by the mayor and aldermen is ^{seemingly} approved by the citizens of this place.

Resolved, That inasmuch as slavery does not exist in Connecticut, and where it is permitted in other states depends on the municipal laws of the state which allows it, and over which neither any other state nor the congress of the United States has any control, that the propagation of sentiments favorable to the immediate emancipation of slaves, in disregard of the civil institutions of the states in which they belong, and as auxiliary thereto, the contemporaneous founding of colleges for educating colored people, is an unwarrantable and dangerous interference with the internal concerns of the other states, and ought to be discouraged.

And whereas, in the opinion of this meeting, Yale college, the institutions for the education of females, and the other schools already existing in this city, are important to the community and the general interests of science, and as such have been deservedly patronized by the public, and the establishment of a college in the same place to educate the colored population, is incompatible with the prosperity if not the existence of the present institutions of learning, and will be destructive of the best interests of the city. And believing, as we do, that if the establishment of such a college in any part of the country were deemed expedient, it should never be imposed on any community without their consent.

Therefore, resolved, by the mayor, aldermen, common council, and freemen of the city of New Haven, in city meeting assembled, That we will resist the establishment of the proposed college in this place by every lawful means.

A and on motion it was voted that the proceedings of this meeting be signed by the mayor, and countersigned by the clerk, and published in all the newspapers of this city.

DENNIS KIMBERLY, mayor.

Ellahs Munson, clerk.

From Poulson's American Daily Advertiser.

ANOMALY IN NATURE.

The undersigned, agent of a convention of delegates, representing the free colored people of the United States, held in this city, June last, conceives it his duty, and holds as his privilege, in the name of said convention, and in his capacity as agent, to contradict the misrepresentation, and deny the principles, propagated through the several papers, by an extraordinary public meeting, held at the City Hall, in the city of New Haven, on Saturday, 10th inst.

By what motives the mayor, alderman, common council, and freemen of New Haven, could have been influenced, or by what means excited to such extraordinary measures, we cannot conjecture. We are not accustomed to being opposed by such dignitaries; heretofore the rabble, and they only have thrown themselves in the way of our lawful and praiseworthy undertakings, nor can we account for his great combat, with a man of straw, and that too of their own creating, by these men learned in law, and high in authority. Such a formidable array, since the days of antiquity, has not been seen, nor do we believe would be, until the end of time, against a cause so feeble and so unassuming.

The facts are simply these; the above named convention appointed a committee of their own body, to take into consideration the situation of the free colored people of this country, and to report such measures as in their wisdom they deemed most prudent and advisable, for the amelioration of their condition, carefully guarding against any interference whatever with the slave. The committee reported as among the most efficient means, the establishment of a manual labor college, in which habits of industry might be inculcated, and a mechanical or agricultural profession obtained, while poring classical studies.

These were the simple unvarnished views of the convention, in reference to the college; and how our informed fellow citizens of New Haven, can compare them with "immediate emancipation, insurrection or interference with the internal concerns and laws of the south," we are at a loss to conceive.

We utterly deny having connected any such ideas with the establishment of our college. Whatever independent views, individuals of the convention or friends of the college may entertain, we do not pretend to say, nor do we intend to account for. Our object is to ask the passage of all the wise and good, in behalf of the contemplated institution. An institution whose object and plan, we think, need only be known, to secure the good wishes and prayers of this enlightened community. We hope the opposition of our opponents and slanderers, whose hearts we trust are right, while their heads are very wrong, will deter none of our friends and fellow citizens, in this place or elsewhere, from lending us their liberal patronage. We shall wait in person on the

citizens of this place, during a few weeks to come, to receive their expression of good wishes and friendship to our brethren of color, and the institution in which they are engaged.

Confident that the authorities of New Haven have no rights nor powers by which they can lawfully prevent the location of the college in that place, yet as friends to peace and good order, being authorized, we have altered our subscription book, so as to read New Haven or elsewhere, for if the principles and doings of the meeting on the 10th inst. be a true sample of that city, which, by the way, we cannot believe, we rejoice in being delivered from such a community.

In conclusion, we think the dignitaries of this seat of science, have descended below themselves. It is beneath the gentleman, the patriot, or the christian, to endeavor to crush a feeble institution in its infant state, and an institution too, got up for the very best of purposes. Let the citizens of New Haven inform themselves on the subject of our college, and atone for the injury they have done us, by liberally patronizing the institution.

SAMUEL E. CORNISH, agent of the convention.

Philadelphia, Sept. 14, 1831.

N. B. The agent of the convention, who is now soliciting subscriptions in this city, feeling his cause injured by the gratuitous insertion of the proceedings of the New Haven meeting, respectfully claims of those editors who inserted the former, a place for this in reply.

S. E. C.

THE NEW OLIVE BRANCH.

TO THE CITIZENS OF SOUTH CAROLINA.

No. XX.—New Series, No. 8.

"The power to impose duties on imports originally belonged to the several states. The right to adjust these duties, with a view to the encouragement of domestic branches of industry, is so completely incidental to that power, that it is difficult to suppose the existence of one without the other. The states have delegated their whole authority over imports to the general government without limitation or restriction, saving the very inconsiderable reservation relating to their inspection laws. This authority having thus entirely passed from the states, the right to exercise it for the purpose of protection, does not exist in them, consequently if it be not possessed by the general government, it must be extinct. Our political system would thus present the anomaly of a people stripped of the right to foster their own industry; and to counteract the most selfish and destructive policy which might be adopted by foreign nations. This surely cannot be the case: this indispensable power, thus surrendered by the states, must be within the scope of the authority on this subject, expressly delegated to congress."—President Jackson's message to congress, December 6, 1830.

"It becomes the duty of this house to resort, to a considerable extent, at least as far as proposed, to the only remedy, the protection of manufactures. To this it has been objected that the country is not prepared. He could not for a moment yield to the assertion. On the contrary, he firmly believed that the country is prepared, even to maturity, for the introduction of manufactures."—From Mr. Calhoun's speech in support of the minimum valuation of cotton goods.

"The home trade, consisting in the exchange of agricultural productions for articles of manufacture produced in our own country, will for a long time to come, furnish the safest and least dangerous—the least expensive, and the least immoral—the most protective and the most patriotic employment of capital, however rapid and accumulated. Foreign trade tends to denationalize the affections of those whose prosperity is dispersed in foreign countries—whose interests are connected with foreign interests, and whose capital is but partially invested at the place of their domicile."—Judge Cooper's preface to the *Emporium*—1813.

FRIENDS AND FELLOW CITIZENS:

Among the most alarming circumstances attending the effervescence to the south, is the fact, that a large portion of the most decided supporters of the union and enemies of nullification, and its counterpart, a dissolution of the union, with all its attendant horrors, are firm believers in the unconstitutionality of the protecting system, and appear to require its entire abolition. Should the total repeal of the protecting system, on the ground of its unconstitutionality, be a *sine qua non* with them, as it appears to be with the nullifiers, all hopes of a compromise and the restoration of a good understanding on the subject, are at an end. Were the question at issue, the quantum of protection necessary to support our manufactures, a spirit of compromise might probably remove the difficulty without much trouble. But the middle, eastern, and western states cannot, and will not, give up the system. It would produce general ruin among them. For the sake of harmony, the protecting duties may be modified, and some of them greatly reduced. Many of them are injudicious, and some of them oppressive, even to the manufacturers themselves. This is partly, and I believe I may say chiefly, owing to the enemies of the system, who, particularly

in 1828, in the hope of defeating the tariff enacted in that year, loaded it with so much dead weight, as they hoped, would render it so obnoxious to its friends, as to induce them to reject it. In this refined Machiavelian policy they were grievously disappointed.

It was hoped, and believed, that the mass of evidence advanced in support of the constitutionality of the protecting system was so conclusive that no person, not incurably prejudiced, could withstand it. And it is deeply to be lamented that those hopes, apparently so rational, have not been realized.

It is truly remarkable that in opposition to the unquestioned practice of the government for thirty-five years—to the recommendation of five presidents—to the decided opinions and practice, not only of some of the illustrious men who framed the constitution, but of others who are regarded as oracles by the south, (e. g. Mr. Lowndes and Mr. Calhoun, both advocates of the protecting system) there has not been a single substantial argument advanced. It is gravely stated, that the power to regulate commerce, given to congress by the constitution, does not imply a power to destroy commerce. When this position, on which so much stress is laid, is admitted to the fullest extent, what does it prove? What bearing has it on the question? To render it any way available, it would be necessary to prove that the protecting system destroys commerce: whereas a reference to the proper documents will prove that our commerce and navigation have been regularly increasing, notwithstanding the galling prohibitions and prohibitory duties to which the most of our staples are subject in Europe, which receives little or nothing from us, but what it cannot dispense with.

To the evidence I collected on this subject, and published in 1826 and 1830, I can add little or nothing. It appears full and conclusive—and therefore I shall once more, with such improvements as have since occurred to me, respectfully submit it to the calm consideration of the public. I trust that no apology is necessary for the republication, as the changes are rung daily on the opposite doctrine, without the pretence of any novel reasoning.

I proceed to prove the want of foundation of the unconstitutionality of the tariff:—

1. By the uninterrupted exercise of the power of protection from the year 1789 till the year 1828 inclusive, a period of forty years, during 36 of which it was never called in question.

2. By the utterly erroneous logic of the chief, I might say the only argument on which the charge of unconstitutionality rests.

3. By the explicit recommendation of five presidents, Washington, Jefferson, Madison, Monroe and Jackson.

4. By the replies of both houses of congress to some of those recommendations.

5. By the advocacy of the system in the congress of 1789-90, by some of the first men this country ever produced, among whom were some of the most enlightened of those who framed the constitution, and whom it would be the height of absurdity to suppose ignorant of the meaning of the instrument they were four months maturing.

6. By the votes of men of high standing in the congress of 1816.

1. *The uninterrupted exercise of the power.*

To the second act passed by the first congress, July 4, 1789, was prefixed an explicit announcement of the power in question, in these words:—

"Whereas it is necessary for the support of government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid on goods, wares and merchandise imported."

During the whole period that intervened from that day until the year 1828, this power has been exercised in probably from a dozen to twenty instances—

and until the year 1824, no doubt was ever expressed on the subject, by any of those powerful members of congress who opposed many of the details of the system as inexpedient, some of whom were deadly hostile to it, under the idea of its being injurious to their constituents.

II. *Erroneous logic of the objection.*

At the expiration of 35 years, a new light sprung up on the subject. Col. Hamilton, in the session of 1823-4, presumed he had discovered the unconstitutionality of the tariff, on finding that a proposition brought forward in the federal convention to authorize congress to encourage manufactures by "bounties," had been rejected—and as bounties and protecting duties produce the same effect, ergo, a duty for protection was a bounty!!! and the rejection of the proposed power of granting bounties clearly implied a similar rejection of protecting duties!!!

This logic goes to destroy precision in language. It cannot be sustained. The question might be submitted to a committee of the first philologists in the British dominions, or in the United States, and it would be scouted unanimously by the whole of them. If a protecting duty be a bounty, because it produces the same effects as a bounty, then we might say a horse is a camel, and a camel a horse—a stage-coach a phaeton, and a phaeton a stage-coach—a common dwelling house a palace, and a palace a common dwelling house—a merchant vessel a man of war, and a man of war a merchant vessel—for in the first case, both animals are beasts of burden—in the second, both vehicles serve for the conveyance of persons—in the third, both buildings serve as habitations for human beings—and in the fourth, both are formed for navigating the seas.

Considering the splendid talents of col. Hamilton, this kind of logic was not to have been expected from him. It belongs to barristers of a different class, who are not to be mentioned the same day of the week with col. Hamilton.

III. *Presidential recommendations.*

General Washington's speech to congress, of Jan. 11, 1790, declares that—

"The safety and interests of a free people require that congress should promote such manufactures as tend to render them independent of others for essential, particularly military supplies."

"The advancement of agriculture, commerce and manufactures, by all proper means, will not, I trust, need recommendation."

Again—His speech of December, 1796, explicitly holds out the same doctrine:—

"Congress have repeatedly, and not without successful effect, attracted the encouragement of manufactures. The object is of too much importance not to insure a continuance of these efforts in every way which shall appear eligible."

Mr. Jefferson, in his message of 1802, states, that—

"To cultivate peace; maintain commerce and navigation; to foster our fisheries; and protect manufactures, adapted to our circumstances, &c. are the landmarks by which to guide ourselves in all our relations."

From Mr. Jefferson's message of 1808:—

"The situation into which we have been thus forced, has impelled us to apply a portion of our industry and capital to internal manufacturing improvements. The extent of this conversion is daily increasing, and little doubt remains that the establishments formed and forming, will, under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and protecting duties and prohibitions, become permanent."

Extract from the message of Mr. Madison, November 5, 1811:—

"A portion of your deliberations cannot but be well bestowed on the just and sound policy of securing to our manufactures the success they have attained, and are still attaining, under the influence of causes not permanent."

Extract from the message of Mr. Madison, Dec. 5, 1815:—

"Under circumstances giving powerful impulse to manufacturing industry, it has made among us a progress, and exhibited an efficiency, which justify the belief, that with a protection not more than is due to the enterprising citizens, whose interests are now at stake, it will become, at any early day, not only safe against occasional competitions from abroad, but a source of domestic wealth, and even of external commerce."

In selecting the branches more especially entitled to public patronage, a preference is obviously claimed by such as will relieve the United States from a dependence on foreign supplies, even

subject to casual failures, for articles necessary for public defence, or connected with the primary wants of individuals. It will be an additional recommendation of particular manufactures, where the materials for them are extensively drawn from our agriculture, and consequently impact and insure to that great fund of national prosperity and independence, an encouragement which cannot fail to be rewarded."

From the message of president Monroe, Dec. 1819:—

"It is deemed of importance to encourage our domestic manufactures. In what manner the evils which we have adverted to may be remedied, and how it may be practicable in other respects to afford them further encouragement, requiring due regard to the other great interests of the nation, is submitted to the wisdom of congress."

From the same, Dec. 3d, 1822.

"Satisfied I am, whatever may be the abstract doctrine in favor of unrestricted commerce, provided all nations would concur in it, and it was not liable to be interrupted by war, which has never occurred, and cannot be expected, that there are strong reasons, applicable to our situation and relations with other countries, which impose on us the obligation to cherish and sustain our manufactures."

From the same, Dec. 1823:

"Having communicated my views to congress at the commencement of the last session, respecting the encouragement which ought to be given to our manufactures, and the principle on which it should be founded, I have only to add, that these views remain unchanged, and that the present state of those countries with which we have the most immediate political relations, and greatest commercial intercourse, tends to confirm them. Under this impression I recommend a review of the tariff, for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defence and independence of the country."

To these presidential recommendations let me add that of the secretary of the treasury, W. H. Crawford, esq. from his report, December, 1819:

"It is believed that the present is a favorable moment for affording efficient protection to that increasing and important interest, if it can be done consistently with the general interest of the nation."

IV. *Congressional replies.*

Extract from the reply of the senate to the speech of gen. Washington, January, 1790:

"Agriculture, commerce, and manufactures, forming the basis of the wealth and strength of our confederated republic, must be the frequent subject of our deliberations, and shall be advanced by all the proper means in our power."

Extract from the reply of the house of representatives:

"We concur with you in the sentiment that agriculture, commerce, and manufactures, are entitled to legislative protection."

Extract from the reply of the senate to the speech of gen. Washington, December, 1796:

"The necessity of accelerating the establishment of certain useful branches of manufactures, by the intervention of legislative aid and protection, and the encouragement due to agriculture by the emission of boards, (composed of intelligent individuals), to patronize this primary pursuit of society, are subjects which will readily engage our most serious attention."

V. *Advocacy of the system by the congress of 1789-90.*

Mr. Madison "moved to lay an impost of eight cents on all beer imported. He did not think this would give a monopoly; but he hoped it would be such an encouragement as to induce the manufacture to take deep root in every state in the union."

Lloyd's debates of congress, vol. 1. p. 65.

The same—"The states that are most advanced in population, and ripe for manufactures, ought to have their particular interests attended to in some degree. While these states retained the power of making regulations of trade, they had the power to protect and cherish such institutions. By adopting the present constitution, they must have done this with an expectation that those interests would not be neglected here.—*Idem*, p. 24.

The same—"There may be some manufactures which, being once formed, can advance towards perfection without any adventitious aid; while others, for want of the fostering hand of government, will not be able to grow at all. Legislative attention will therefore be necessary to collect the proper objects for this purpose.—*Idem*, p. 26.

Mr. Clymer "did not object to this mode of encouraging manufacturers, and obtaining revenue, by combining the two objects in one bill: he was satisfied that a political necessity existed for both the one and the other.—*Idem*, p. 21.

He "hoped gentlemen would be disposed to extend a degree of patronage to a manufacture, [steel] which a moment's reflection would convince them was highly deserving protection.—*Idem*, p. 62.

Mr. Carroll "moved to insert window and other glass a manufacture of this article was begun in Maryland, and attended with considerable success. If the legislature was to grant a small encouragement, it would be permanently established.—*Idem*, p. 24.

Mr. Wadsworth—"By moderating the duties, we shall obtain revenue, and give that encouragement to manufactures which is intended.—*Idem*, p. 118.

Mr. Ames "thought this a useful and accommodating manufacture, [unails] which yielded a clear gain of all that it sold for, but

the cost of the material; the labor employed in it would be thrown away probably in many instances. He hoped the article would remain in the bill."—*Idem*, p. 81.

The same.—"The committee were already informed of the flourishing situation of the manufacture of (candles), but they ought not to join the gentleman from South Carolina. (Mr. Tucker) in concluding that it did not therefore deserve legislative protection; he had no doubt but the committee would concur in laying a small protecting duty in favor of this manufacture."—*Idem*, p. 82.

Mr. Fitzsimons—"was willing to allow a small duty, because it conformed to the policy of the state who thought it proper in this manner to protect their manufactures."—*Idem*, p. 13.

The same.—"It being my opinion that an enumeration of articles will tend to clear away difficulties, I wish as many to be selected as possible; for this reason I have prepared myself with an additional number; among these are some calculated to encourage the production of our country, and protect our infant manufactures."—*Idem*, p. 17.

Mr. Hartly—"If we consult the history of the ancient world, [Europe], we shall see that they have thought proper for some time past to give great encouragement to establish manufactures by laying such partial duties on the importation of foreign goods as to give the home manufactures a considerable advantage in both price and quality." I think it

verment should extend to all these manufactures which will tend to national utility. Our stock of materials is, in many instances, equal to the greatest demand, and our artisans sufficient to work them up, even for exportation. In those cases, I take it to be the policy of every enlightened nation to give their manufacturers that degree of encouragement necessary to perfect them, without oppressing the other parts of the community; and under this encouragement, the industry of the manufacturer will be employed to add to the wealth of the nation."—*Idem*, p. 22.

Mr. White—"In order to charge specified articles of manufacture so as to encourage our domestic ones, it will be necessary to examine the present state of each throughout the union."—*Idem*, p. 29.

Mr. Bland, [of Va.], "thought that very little revenue was likely to be collected from the importation of this article, (wells); and as it was to be had in sufficient quantities within the United States, perhaps a tax amounting to a prohibition would be proper."—*Idem*, p. 66.

"Mr. Bland informed the committee that there were mines opened in Va. capable of supplying the whole of the United States; and if some restraint was laid on the importation of foreign coal, those mines might be worked to advantage."—*Idem*, p. 97.

Mr. Doudinot—"I shall certainly move for it, (the article of glass), as I suppose we are capable of manufacturing this as well as many others. In fact, it is well known, that we have and can do it as well as most nations; the materials being almost all produced in our country."—*Idem*, p. 28.

The same.—"Let us take, then, the resolution of congress in 1783, and make it the basis of our system, adding only such protecting duties as are necessary to support the manufactures established by the legislatures of the manufacturing states."—*Idem*, p. 43.

Mr. Simmickson—"declared himself a friend to this manufacture, [beer], and thought if the duty was laid high enough to effect a prohibition, the manufacture would increase, and of consequence the price would be lessened."—*Idem*, p. 65.

Mr. Fitzsimons—"moved to lay a duty of two cents per pound on tallow candles. The manufacture of candles is an important manufacture, and far advanced towards perfection. I have no doubt but in a few years we shall be able to supply the consumption of every part of the continent."—*Idem*, p. 67.

Mr. Lawrence—"thought that if candles were an object of considerable importation, they ought to be taxed for the sake of obtaining revenue; and if they were not imported in considerable quantities, the burden upon the consumer would be small, while it tended to cherish a valuable manufacture."—*Idem*, p. 68.

The same.—"Suppose 5s. per cwt. were imposed [on unwrought steel], it might be, as stated, a partial duty—but would not the evil be soon overbalanced by the establishment of such an important manufacture?"—*Idem*, p. 69.

The same.—"The necessity of continuing those encouragements which the state legislatures have deemed proper, exists in a considerable degree. Therefore it will be politic in the government of the United States, to continue such duties until their object is accomplished."—*Idem*, p. 67.

Mr. Smith, [of S. C.]—"The people of South Carolina are willing to make sacrifices to encourage the manufacturing and maritime interests of their sister states."—*Idem*, p. 212.

VI. Congressional votes in 1816.

That Mr. Lowndes was equal in point of talents to col. Hamilton—that he was as fully able to decide correctly on the spirit and meaning of the constitution—that he was as sacredly and scrupulously exact in the observance of his solemn oath to support that instrument—and that he was as feelingly alive to the rights and interests of the south, and as zealous to protect them, as col. Hamilton, col. Hayne, or Mr. Cheves, will not be questioned by the most partial friend of those gentlemen; and if I prove that this Telamon Ajax of southern rights, was in favor of the protecting system, it ought to make col. Hamilton

pause in his career, and review and correct his opinions on the subject.

The highest rate of protection ever afforded to American manufactures, previously to the tariff of 1823, was that, which subjected all coarse cotton below 25 cents a square yard, to a duty of 25 per cent. on the assumed cost of 25 cents.

On the 6th of April, 1816, a motion was made by Mr. Tucker, to strike out this clause, which, had it succeeded, would have prevented the success of that all important manufacture, coarse cotton goods, which has conferred so much advantage on the country, and afforded such an excellent market for our cotton. The motion was rejected by a very decisive majority—82 yeas, 61 yeas.

South Carolina had eight members in that congress, of whom six, viz. Wm. Lowndes, John C. Calhoun, John J. Chappell, Wm. Mayrant, Henry Middleton, and Wm. Woodward, esqrs. voted in favor of this high duty, which according to the first cost, varied from 25 to 100 per cent. and probably averaged at least 75. Messrs. Calhoun, Mayrant, and Crawford, went further. They voted that the minimum should be fixed at 30 cents the square yard.

So far as regards Mr. Lowndes, this vote is conclusive. But there is still further testimony, from the National Intelligencer—and let me observe, en passant, that at that time the debates were taken down very briefly, so that they do not furnish any of the details of the luminous speeches of this gentleman. The notice of the course he steered is very brief, but sufficiently explicit to show that he was an advocate of the protecting system, on this most latitudinarian feature—of course at daggers' points with Mr. Hamilton.

"Mr. Lowndes entered into an ample and particular defence of the system reported, on the subject of cottons, by the committee of ways and means."—*National Intelligencer*, March 28, 1816.

"Mr. Lowndes observed, that he believed the manufacture of woollens, and particularly of blankets, required a decided present encouragement."—*Idem*, March 27, 1816.

I well know the bias under which every man labors in favor of a cause which he advocates, as well as of the facts and arguments by which he supports it—and therefore I may greatly overrate the force of those I here advance. But making all due allowance for this bias, I am inexpressibly deceived, if the above evidence in favor of the constitutionality of the protecting system, do not establish it beyond the possibility of reasonable doubt. Indeed, did I not know the tenacity with which statesmen and philosophers adhere to dogmas which they have promulgated and defended, and on which they have staked their reputation, I should hope that col. Hamilton himself would be struck with the host of illustrious names arrayed against his theory, and magnanimously acknowledge its untenableness. We have on the one side—uninterrupted and unquestioned practice for 35 years—General Washington, Mr. Jefferson, Mr. Madison, Mr. Monroe, Mr. Ames, Mr. Fitzsimons, Mr. Clymer, Mr. Lowndes, Mr. Crawford, Mr. Calhoun, Mr. Archer, Mr. Wadsworth, &c. &c.; and on the other, col. Hamilton and his school—a school resting on the basis of the most unsound logic—and created in times of effervescence, of which times the characteristic, in all ages and in all countries, has been, to receive, with credulity, opinions promulgated with confidence, by leading individuals, however sandy the foundation on which the superstructure is raised.

HAMILTON.

Philadelphia, Sept. 1, 1851.

P. S.—Some apology is due for the extreme length of this essay, which nothing could justify but the im-

*This may require some explanation. Cotton goods that cost 6, 8, 10, or 12 cents per square yard, were assumed to have cost 25 cents; and as the duty was 25 per cent. on this assumed cost, it follows that the duties on the articles costing as above, were 100, 75, 60, and 50 per cent.

mense importance of the question discussed to the peace and permanence of the union, and the advantage of placing the whole of the arguments together before the reader.

It is earnestly requested, and confidently hoped, that the printers in the southern states—even those who doubt or deny the constitutionality of the protecting system—will display their impartiality by inserting this essay, to enable their readers to judge understandingly on the mighty subject.

"FREE TRADE" AT NEW ORLEANS.

In our last paper we briefly noticed the call of a "free trade" meeting at New Orleans, and the issue of it—since which we have received the following more particular account of what took place, in the *Mercantile Advertiser*. It may amuse some of our readers.

The great anti tariff nullification meeting.—A most singular occurrence took place in this city on Thursday night last; it has perhaps no example in any register of political affairs. A notice appeared in the *Louisiana Advertiser* of this city on Wednesday morning last, of a meeting to be held of "the friends of free trade, at Hewlett's coffee house, on the following evening at 8 o'clock, to appoint delegates to the free trade convention to be held at Philadelphia on the 30th of September." A respectable number of citizens accordingly attended. After waiting for some time beyond the hour appointed for the meeting, and no person of the free trade party appearing to take the lead in organizing the meeting, or to do any act common to any party calling a public assemblage of the people; the noise of many tongues, the laugh of ridicule, and the jeering of the sarcastic, showed that great dissatisfaction prevailed among all, tariff and anti-tariff; at last, however, a gentleman in the crowd, called out for Mr. McConnell to be placed in the chair. Immediately a loud and general exclamation of approbation burst forth from the people, and upon their reiterated request that he should consent to occupy the station, he ascended the rostrum. Silence now prevailed throughout the hall. The Dr. then addressed the meeting. We shall attempt only to give the substance of what he said.

"I have been summoned fellow citizens, and very unexpectedly to me, to preside over this meeting; the object of which it may be inferred I have in my power to explain. Except, however, as far as it is made known by the notice in the *Louisiana Advertiser* of yesterday, I am ignorant. It would seem from the notice, that the purpose for which this meeting was requested, is to elect delegates, to meet others from several sections of the union, in a convention, to be held in the city of Philadelphia on the 30th of the present month. The object of this convention is, so far as I understand, to effect a co-operation of the friends of free trade, throughout the United States, to procure a repeal of the tariff system; or in the language of some writers to establish "state rights and free trade." As respects, however, the motives which dictated the *Advertiser* in calling a meeting of the advocates of free trade in this city, I as well as many other citizens conceive them to be, nothing more nor less, than an effort to prop the remaining popularity of Andrew Jackson in this state. I am, however, fellow-citizens, not a friend directly or indirectly to the doctrines of nullification, and, therefore, did not come here with any view to countenance any measures that tend in the least to sustain them—I am a friend to the union; to the happiness and prosperity of our common country.

For fear fellow-citizens that in calling me to the chair every person present may not be apprised of my principles, or may be under some mistake respecting them; you will pardon me if I state as briefly as I can what they are. Most of you, fellow-citi-

zens, said Dr. McConnell, knew me from 1824 until 1829 an enthusiastic supporter of Andrew Jackson, but from the recent scenes at Washington, so disgraceful to our country, together with the general course of president Jackson's administration, his weakness and inconsistencies, and above all, his intention of being again a candidate for the presidency, contrary to his private, as well as public declarations, I have ceased to be his political advocate; and I now avail myself of this public occasion, thus candidly to say so, and before this assembly of the people to declare my secession from the ranks, which but a few months ago, I was proud of being enrolled in.

Fellow-citizens, not only by his public declarations—not only by those made to several other individuals do I condemn president Jackson, but to me did he say in 1829, and in the city of Washington—"that nothing on earth would induce him again, to be a candidate for the chief magistracy of the republic"—for in this declaration he deceived me, his friend. Here the feelings of the speaker gave great solemnity to his utterance, and extending an arm in a very expressive manner, he said, that for the sin of which he had been guilty, and of which he was now convinced, in having been a partizan to support general Jackson for the presidency, he trusted that the mercy of a wise and benevolent God would forgive him. In conclusion Dr. McConnell said: as the immediate object of the meeting has entirely failed, I beg leave to propose to you, fellow-citizens, that it be adjourned, until the first day of September, nineteen hundred and thirty-one.

We cannot say what number of anti-tariffites, or Jackson men, or nullifiers were present; we only know that the speech of Dr. McConnell was received with evidences of great approbation, and in a short time afterwards the greater part of the people retired.

If in giving the account of the "free trade and state rights party," we inadvertently should have made any statements deemed not consistent with facts, we presume the *Journals* of the free trade party, in their account of the meeting, will correct us. C.

GENERAL BERNARD AND THE PRESIDENT.

From the New York Standard.

Washington City, 8th July, 1831.

To Andrew Jackson, president of the U. States.

SIR,—In 1816, under the auspices of the illustrious Lafayette, I received, from the people of the United States, the favor of serving as an engineer in the army. From that epoch to this day, I have been employed in the military organization of the frontiers, and in the planning of fortifications destined to their defence; I have also been employed in the framing of projects relating to a general system of roads and canals throughout the union, and on various other duties connected with military establishments and internal improvements.

The strong sympathy between the union and my native land, has been to me a powerful incitement to perform my duties to the best of my ability. Should my humble services have repaid partially what I owe to a great people, which, on all occasions, has shown to me so much liberality and confidence, I remain conscious, that those services will secure to me an honorable place in the estimation of my countrymen in France.

Now, aware that the noble task to which I have been associated is completed within the agency assigned to me, and conscious that the present unsettled state of Europe, and the political interdependency of my native country, place me under the moral obligation to tender once more my humble services to France, I beg of you, most respectfully to accept of my resignation.

The habits of my family raised in this land of peace and happiness; my feelings of devotion towards so many generous and hospitable friends;—my sense of gratitude towards the members of the administration, render this determination most painful to me; but it is a sacrifice which I owe to the cause of this age of turmoil and political struggle. I find, however, a consolation in the hope that my motives will be generously appreciated by the statesman and the patriot, whom they are most respectfully submitted.

Be so indulgent, sir, as to accept my thanks for the liberal patronage you have constantly bestowed upon me since my arrival in this land of freedom, and to believe in the sentiments of the unalterable gratitude of your most respectful servant,

S. BERNARD, brig. general.

Washington, July 9, 1831.

GENERAL,—Your letter is received tendering your resignation of the post, to which, fourteen years ago, your own well earned reputation, and the friendship of the most illustrious and beloved of the adopted sons of my country, were your passport. The knowledge of you afforded by your long residence among us, has justified the high expectations created by such an introduction; and it could not but be a cause of deep regret, to the nation that any circumstances should arise to deprive it of services so highly appreciated. That the regret is greatly enhanced by the nature of the circumstances which impel you to this step, you understand us too well to doubt. You know how strong are our sympathies with every branch of the great family of man struggling for self government—how deep, with the noble people to whose generous and gallant spirit we were so greatly indebted in our own struggle for this inestimable right. Here, as your observation has satisfied you, the "noble task" is done—our independence is beyond doubt or danger; and that any shocks which the cause may be destined to encounter in your native land, will only serve to prove that it rests there on an equally immovable base, is among the most cherished hopes of the people from which you are about to separate.

Rest assured, general, that your motives are understood and appreciated: I release you from the service of my country, under the conviction that in conducting your family from this abode of liberty and peace, to one which the designs of Providence may yet destine to be a theatre of strife and turmoil, you are actuated by that love of your land which ever lives in a sound heart, and that affection for the great cause which characterizes the enlightened and uncorrupted minds of the age. With this assurance, accept for yourself and family, my best wishes for your safe return to the bosom of your country, and for the enjoyment of every happiness.

ANDREW JACKSON.

SIMON BERNARD,—brig. gen'l. in service of the U. S.

BEAUMARCHAIS' CLAIM.

This claim of a foreign speculator on the government, for supplies furnished during the revolutionary war, after harassing each successive congress for more than fifty years, has at length been settled by Mr. Riva's treaty with France, at an expense of about a million of dollars. The magnitude of the claim, and its connection with history, render it deserving of attention.

The court of France early manifested interest in the controversy between Great Britain and her colonies. In 1776, when Franklin was acting as colonial agent in London, the French ministers there sought interviews with him, and impressed the sagacious printer with the belief that the King of France was disposed to fan the flame of contention. As the contest deepened, the policy and views of France were

more decidedly developed. Avoiding a declaration of war with Britain, it was determined by the French ministry secretly to furnish the colonies with supplies for their defence, and yet preserve apparent neutrality.

To effect these purposes, an agent named Beaumarchais was sent to London, 1776, who met Arthur Lee, the agent of the secret committee of congress, and concluded an arrangement with him for the remittance of 200,000 louis d'ors, in arms, ammunition and specie, given by the French court. These were to be furnished under color of commercial transactions with the fictitious house of Roderique, Hortales & Co. of which the real partners were the sovereigns of France and Spain. A million of livres were placed in the hands of Beaumarchais, and a receipt given by him to the French government, which was, for a long time, concealed. As it was necessary to manage the expenditure in such a manner that it should not be imputed to the court, at a time when every movement was closely watched, it was made to assume the appearance of a private transaction.—The American commissioners were given to understand that the supplies furnished were free gifts, but were charged to keep this a profound secret, even from congress. Clothing, arms and cannon, were furnished in the name of the mysterious house, but in reality from the king's arsenal. In 1777, Dr. Franklin and Mr. Lee thought it necessary to explain to congress, the mode in which the warlike stores and money had been obtained. Their letters were entrusted to the captain of an American vessel, with special instructions to deliver them with his own hands to the president of congress. The packet, on being opened, contained only blank papers. The captain suspected of fraud, was examined and confined, but without leading to any discovery. Some months after, duplicates of the letters were received. At the unfortunate time, when the information they contained was most needed, Beaumarchais sent an agent to demand payment for the supplies furnished by him. In a state of great perplexity and doubt, without certain information, and closely pressed by the agent, in March 1778, congress thought proper to pay \$20,000 and to enter into a contract for the future payment of the balance.

The same reasons of state policy, which had induced the French court to conceal its benevolent assistance to the American states under the disguise of commercial transactions, compelled the ministry, for the preservation of its treacherous neutrality, to disclaim their existence. When pressed by the British ministry at Paris, knowledge of the operations of Beaumarchais was denied, and orders were issued to prohibit all supplies from him or any other persons. The American commissioners addressed a note to the French minister, enclosing a copy of the agreement for settlement with the house of Roderique, Hortales & Co. stating their entire ignorance of the persons constituting the firm, and the understanding of themselves, congress, and the people, that they were indebted to the good will of the king for the supplies. An official note replied that the king had furnished nothing, that he had only permitted Beaumarchais to borrow from his arsenals that he would from friendship interfere to prevent congress from being pressed for payment, but that he did not know the celebrated commercial house, and could form no opinion of their solidity or punctuality.

These facts were divulged by Thomas Paine, then secretary of the committee of foreign affairs, in his controversy with Silas Dean, but the French minister, alarmed at the disclosure, demanded of congress a disavowal and contradiction. The court of his sovereign was not then to be denied requests of any kind. Paine appeared before congress, avowed his

authorship and resigned his office. The publications were disclaimed, and an official declaration made that the alliance with France was not prefaced by secret supplies.

Congress having first sanctioned and again confirmed the full claim of Beaumarchais; was again pressed for payment by his agent. The amount in 1779 was four millions and a half of livres, and in June of that year, bills were drawn for about half that sum on the American minister, payable in three years, with the expectation that before the time arrived, measures would be taken by the French court to prevent payment. They were, however, immediately sold, accepted by Dr. Franklin, and paid to the assignees on maturity.

In 1783, it appeared by the settlement between Dr. Franklin and the count de Vergennes, that 3,000,000 of livres had been furnished to the United States, prior to the treaty of 1778, as gratuitous assistance from the bounty of the king. 2,000,000 were paid directly to the American commissioners, and all information as to the appropriation of the third million was withheld as a state secret. At length, in 1794, the then government of France furnished a copy of a receipt from Beaumarchais for the million of livres, dated in June, 1776. The officers of the treasury charged this sum with interest against the claim, and the balance was paid. From that time to the present, the heirs of the claimant have petitioned congress against the charge. The claim is, however, at length put at rest, and sent to limbo, to keep company with the shade of Amy Darden's stud-horse.

[*Salem-Mercury.*]

AN ABOMINATION IN THE LAW.

From the Albany Daily Advertiser of Aug. 26.

U. S. court at Utica—Mrs. Bradstreet's suits. A great feeling has been raised in this city and the neighboring counties, for the last few days, by reason of the U. S. deputy marshal of the northern district having served notices on 312 of our citizens to attend as recognitors, (or jurors), in certain causes in favor of Martha Bradstreet, against 13 separate individuals in the village of Utica. It appears that about three years last past, Mrs. Bradstreet got an order for a grand assize in some 15 or 20 of her suits; grand knights or summoners were selected, and those summoners selected from Albany, Rensselaer and Schenectady, 24 persons in each suit, to serve as recognitors or jurors. After these two causes were tried, Judge Conkling refused to have any other causes tried until a decision was had upon the causes tried and removed to the supreme court of the United States at Washington. A decision having been had last winter, on those causes, a rule was entered at the last term of the court held in this city, that the recognitors be summoned to attend at the next term of the court; and very unfortunately for the jurors, as well as the United States, (who it is said must pay them) the next court is held in Utica, on Tuesday next, and those 312 persons compelled to travel that distance from their homes, and when there, to be kept some three or four weeks, or be dismissed and liable to be called at some future court or courts, when the parties shall eventually bring their causes to issue.

Of the above number of 312, the number of 260 are taken from the city of Albany; the residue from Rensselaer, Schenectady and Saratoga counties.—Each person will get \$1 25 a day, and ten cents a mile, travel fees.

There are 13 suits; and to each suit there are 24 "recognitors, to make recognition of the grand assize, between Martha Bradstreet, an alien, demandant, and — a citizen tenant."

We understand that from each 24 persons, there are 16 selected, who act as jurors.

If Mrs. Bradstreet should succeed in her suit, she will be one of the richest persons in the United States, if not the richest. Her claims are on a large portion of the village of Utica.

We trust the tavern keepers at Utica will be prepared to provide comfortably for our two hundred and sixty fellow-citizens.

The *Argus* of the 1st. inst. says that the cases had been put off, and that all the recognitors were discharged, and after some notice of the proceedings, adds—

Mrs. B. appeared in the court, and argued the motions in person. She exhibited, it is said, great ability and much eloquence. She declared that, whatever obstructions might be thrown in her way, she would not abandon the prosecution of these suits, while life remained. It is her object to remove these suits to the southern district of this state, in which Judge Betts presides. It was the common remark of those present, "that Mrs. B. was the best lawyer who spoke on the occasion."

A most serious and affecting part of this affair, remains yet to be told. The recognitors cannot get any pay for the time they have spent, nor for the expenses they have been at in travelling to Utica.—The judge told some of them, before they left this city, as we have been informed, that they would be paid. But it seems that the marshal held a different opinion, and on application to him at Utica, he told the recognitors he had no authority to pay them.—On an appeal to the judge, it is stated that he said he had been under an erroneous impression as to their claim to pay, and that they were not entitled to receive it.

Of course the 312 recognitors, 260 of whom were from this ancient city, will return to their homes; minus—stage fare, tavern charges, and such like. A serious loss, and a still more serious disappointment.

It is an ABOMINATION—in civil suits, at least, that persons should be thus dragged from their homes, at the will of any person who pleases to summon them, being compelled to bear their own expenses—yes, and on the part of an alien, whose claims are probably invalid, and who has, perhaps, no means to pay these expenses, if they should rightfully fall upon her. It is robbery on a grand scale—tyranny of the worst description—a base imposition on private rights and duties.

CASE OF CARRARA.

From the New York Evening Post.

A considerable time has elapsed since the apprehension of Carrara, on the charge of having stolen the jewels of the princess of Orange and brought them into this country. The question whether Carrara should be imprisoned or discharged, has been argued before the police magistrate, yet we do not hear how the accused has been disposed of. The magistrate doubtless feels the natural desire to lend every aid in his power to the investigation of the transaction, but he must feel the difficulties which lie in the way of committing Carrara. Our laws were made for the government of our own country, and do not take cognizance of crimes perpetrated in others, unless the offender commits some act within our own limits, which amounts to a continuation or completion of the offence. We do not erect tribunals, or pay judges and public attorneys, to prosecute and try criminals for offences committed in Brussels, Canton or Archangel, whatever may be the rank of the person against whom they are committed. Besides, even if our courts had jurisdiction of crimes committed in Europe, the present case is embarrassed with difficulties as to the testimony. Before we can imprison and try a man by a regular course of in-

dictment for stealing the jewels of the princess of Orange, said to be done about two years ago, it must be first shown that she had such jewels—that they were stolen, and that there is good cause to believe that they were stolen by the person in possession of them. All the facts and circumstances of the larceny must be as fully exhibited, as if the crime had been committed in this country.

It has been said that these jewels were employed to pay a debt contracted in gambling, and thus came into the possession of Carrara. How this may be, we know not; but if so, the receiver cannot be punished, unless he knew they were stolen. But in whatever manner he received them, he introduced them in violation of the laws of the union; and they, like all smuggled articles, have been forfeited to the laws of the United States. The United States have libeled the articles, and may hold the person who introduced them answerable for the penalty. Whether the United States may interfere until the case is tried we know not, but it would clearly be an unsafe precedent to hand over smuggled goods to a claimant, on the plea that they were stolen in a foreign land, without first establishing the fact before a jury. We have to look to our own laws and be cautious that they are strictly administered, without being made to accommodate themselves to support important contingencies. What is doctrine to-day, may become precedent to-morrow. Let every rogue be punished, but let it be done by the law of the land.

From the Mercantile Advertiser.

An article appears in the Post of last evening on the subject of the jewels of the princess of Orange, which is incorrect in nearly all the details. The case of Carrara states thus: After the arrest, the counsel moved for his release, and the case was argued before justice Hopson, who, after some days of consideration, committed the accused for examination. Soon thereafter, learning that it was the intention of Carrara, to apply for his discharge under the habeas corpus, justice Hopson immediately committed him in full. The application for the habeas corpus will be argued on Friday.

It is under our revised statutes, which went into operation on the 1st of January, 1830, that Carrara is detained. By these statutes, a felon found in our state may be arrested and tried whether the robbery was committed in a neighboring state or in a foreign country. We understand that the plea on which the application for the habeas corpus will be made by Carrara's counsel is this—that as the robbery of the jewels is alleged to have been committed in 1829, therefore the case occurred before the revised statutes went into operation, and Carrara cannot be tried under them; his release is consequently demanded: while the court thus far has decided, that as Carrara did not arrive in this state till 1831, he is amenable to the laws in force at the time he arrived.

Carrara has lately, as we understand, made certain confessions; among other things he states, that he was not the robber, but if his wife be found, she can explain all—he will not deny, neither does he admit that the jewels were those of the princess of Orange, but refers to his wife, who is able to reveal the whole transaction—she has not yet been found.

From the Same.

An order was received yesterday morning, from governor Throop, issued with the approbation of the general government, to deliver Carrara to the minister of the Netherlands, that he may be sent to Holland and tried for the offence with which he is charged, in that country, according to its laws. This order is issued in accordance with the revised statutes, volume 1st, page 164, sections 8, 9, 10 and 11, which are in the words following.

Sec. 8. The governor may, in his discretion, deliver over to justice any person found within the

state, who shall be charged with having committed without the jurisdiction of the United States, any crime except treason, which, by the laws of this state, if committed therein, is punishable by death or by imprisonment in the state prison.

Sec. 9. Such delivery can only be made on the requisition of the duly authorized ministers or officers of the government within the jurisdiction of which the crime shall be charged to have been committed.

Sec. 10. It shall be the duty of the governor to require such evidence of the guilt of the person so charged, as would be necessary to justify his apprehension and commitment for trial, had the crime charged been committed within this state.

Sec. 11. The expenses of apprehending and delivering such person, shall be defrayed by those to whom he shall be delivered.

This proceeding, supersedes the writ of habeas corpus, which was to have been sued for this day as we have already announced.

We were informed many days ago, that the wife of Carrara, who is conversant with the whole history of the robbery of the jewels, if not one of the principal actors, after the arrest of Carrara, left this city with a man named John Roumage, for Philadelphia, under the names of 'Mr. Robert and lady,' and sailed on the 20th August from that city in the ship Monongahela, for Liverpool—in consequence, one of our police officers embarked on board the Silvanus Jenkins, which sailed from this port for Liverpool on 24th August, and hopes are entertained by our authorities, that he will be in Liverpool when the Philadelphia packet arrives, or at all events, he will be able to arrest Carrara's wife in England.

It appears that Carrara's wife, upon his arrest, escaped to England, with jewels thought to be worth a million of dollars. She has been pursued.

BEAUTIES OF MILITARY RULE.

A letter from Lima, dated June 3, says—I send you a few papers of this city; but they are of very little value, except as an object of curiosity—they develop nothing, in a measure, of the political or commercial condition of the country. You have doubtless been advised of the late attempt to assassinate gen. La Fuente, the vice president, and of his escape. There being a misunderstanding between Peru and Bolivia, in relation to territorial limits, general Gomara, president of Peru, marched with the army to the frontiers of Bolivia, leaving general La Fuente, the vice president, in the actual exercise of the functions of executive of the government. About the middle of April, a conspiracy was formed against the vice president by certain aspiring characters, who had no hopes of preferment during his incumbency of the executive chair; and it is currently reported that the conspirators got their cue from Gomara himself, who was apprehensive La Fuente was endeavoring to supplant him. A plot was accordingly laid to put the latter out of the way by assassination. The attempt was made at night—La Fuente was in bed, indisposed with the Terciana, (ague,) his wife and family setting around him,—bands of soldiers were placed around the house to guard every avenue of escape, while a party of them entered the chamber to perpetrate the savage deed. One version of the affair is, that the wife of the vice president rushed to the door, there met the ruffians, and kept them at bay some moments, by heroically seizing their bayonets with her hands, &c. until her husband had time to escape from the room, in his night clothes. He was pursued through different apartments, out of windows, over roofs, (all the roofs being flat, in this country, it never rains), &c. &c. with soldiers and officers close at his heels, volleys of musketry being fired at him, until an officer in pursuit being killed

accidentally by his own soldiers, supposing him to be La Fuente, the chase ceased in consequence of the confusion which this event created, and the vice president finally made his escape to Chorillos, from whence he proceeded, at night, in a boat, to the bay of Callao, and went on board the U. S. sloop of war St. Louis—where he remained about a month, and took passage in the American ship Portia, for Chili. When he went on board the St. Louis, capt. Sloat frankly informed him the ship could not be an asylum for him, should the government at Lima demand his person; and the authorities were advised through our charge, Mr. Larned, that the vice president was on board,—but they did not molest him. Gen. Miller an Englishman, the commander of the 3d division of the Peruvian army, fearing lest he should not find favor in the sight of the new authorities, also took up his quarters on board the St. Louis,—and, a few days since, sailed for the Sandwich Islands, to await the settlement of the squabbles among the factions in this unfortunate country. A man by the name of *Andres Reyes*, (or Andrew Kings) the president of the senate is the executive chief of the republic, pro tem. The congress is in session,—but their acts are of no importance,—they are afraid of the army, or of those who control the army. The war with Bolivia, seems to be unpopular here,—and information has reached this city from the army on the frontiers of Bolivia, not many leagues from Anquips, that a majority of the officers and soldiers being averse to invading Bolivia, had deposed Gomara, the commander, (and president of this republic) and put a colonel in the command of the troops. The prevalent opinion was, that had a general battle taken place, general Santa Cruz, president of Bolivia, and who commanded his troops in person, would have come off victorious.

Now that it is believed Gomara is deposed, there are divers opinions among the people who ought to succeed him as president of Peru—some think he may be reinstated—others that La Fuente may be recalled—and others, again, that *Rica-Aguero*, a former vice president, and now in banishment in Chili, may be requested to return. Affairs of state are consequently in a very unsettled condition. The present government is very much in want of money,—a few days since they offered the two principal American houses in the place, (the only houses, of any nation, in Lima, who have much money), *two per cent. a month*, for \$100,000: the offer was declined,—the merchants having no faith in the stability of the present state of things.

THE SOLAR PHENOMENA.

We are obliged to a respectable friend in Alexandria for the following interesting observations upon the late extraordinary appearances connected with the sun.

Alexandria Boarding School, 8th month, 20th, 1831.

Friends Gales & Seaton: In compliance with the suggestion in your paper received to-day, I send you the following views respecting the very unusual, if not unexampled appearance of the sun, observed a few days since.

To understand the phenomena alluded to, it will be necessary to make a few preliminary observations. During the great total eclipse of the sun that had recently taken place, the moon had just passed its perigee, or that point in its orbit nearest the earth, and consequently the combined action of the sun and moon upon the atmosphere produced a great tide in the equatorial regions, and diminished the pressure of the air upon the whole of the surface of the earth.* This diminution of pressure upon the sur-

face of the water would occasion a great increase of evaporation, particularly when united with the high temperature that accompanied it. For it is an established fact, that the amount of evaporation from an uninsulated surface of water depends upon the elevation of temperature and diminution of pressure.

A vast quantity of vapor thus raised was very observable on the evening of the 12th instant, at a considerable elevation, in the western part of the heavens, and continued to reflect a very red light for a long time after the sun had set.

The appearance of the heavens on the morning of the 13th I did not observe; but about mid day, the sun shining through this body of vapor had a silvery appearance similar to that which it wears when shining through a vanishing fog, and I observed it to give an unusually ghastly appearance to the countenances of persons. Between three and four o'clock, the position of the sun with respect to this body of vapor becoming changed, it assumed a greenish blue appearance, precisely similar to that produced by the following experiments, and which, in my opinion was dependent upon the same cause. Let a screen upon which the spectrum produced by the separation of the solar beam into its primitive colors by a glass prism is thrown, be perforated so as to let all except the red ray fall upon a double convex lens, and be converged to a focus, the result will be a representation of the sun of a greenish blue color, exactly such as it was observed to have at the time alluded to. The color is that resulting from the combination of all the primitive colors except the red, and is denominated in optics the *opposite color*.

The same experiment may be performed more familiarly thus: place a red wafer upon a white wall, and look at it intently with one eye for some time, then let the eye rest, without much effort at seeing, upon the wall, and a spot, the size of the wafer, of a greenish blue color, will be perceived. The explanation is, that the retina, through the action upon it by the red light from the wafer, becomes insensible to the red ray in that part upon which the image of the wafer rested, and hence the color produced upon that part of the retina, will be the one resulting from the combination of the other six.

The greenish blue color of the sun, then, I think, depended upon the red rays being reflected by the intervening body of vapor, while the other six passed to the eye, and produced the observed appearance. This opinion was strengthened by one or two facts observed at the time. I passed the sun's ray through a prism, and while the yellow, green, blue, indigo, and violet colors appeared with their proportionate brightness, the orange was considerably less distinct, and the red much less than the orange.

Another corroborative fact was, that, as the sun descended below the body of vapor, which was about fifteen or twenty minutes before its setting, the vapor reflected an intensely red light—the light that passed through it was therefore separate from the red, and would have produced the opposite, or greenish blue appearance.

The spot that was observed, is by no means an unusual thing upon the sun's disc. It was visible to the unprotected eye, merely in consequence of the diminished brightness of the sun. By aid of a telescope, a considerable number of spots were visible. In the summer of 1816, a spot was visible to the naked eye for eight or ten days in succession.

If the above remarks are any way satisfactory to you, it will be a gratification to

Your sincere friend,
BENJAMIN HALLOWELL.

*It is evident, that as the air is partially supported by the combined attraction of the sun and moon, its

pressure upon the earth must be diminished. The greatest effect would not be at the immediate time of conjunction, but some days after.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 6—VOL. V.

BALTIMORE, OCT. 8, 1831.

[VOL. XLI. WHOLE NO. 1,046]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ *"Clear the decks."* Assisted by a *whole sheet supplement*, whereby thirty-two close pages are given for the present number, we have power to publish, in season, the long and important report on the condition of the bank of the United States, as well as dispose of a huge mass of other interesting matter, which was chiefly waiting an insertion. We are thus enabled a little to relieve our files, in preparation for other long articles expected. The miscellaneous collections, or selections, are in great variety. The report about the bank should receive the earnest attention and serious reflection, of every man capable of understanding the business of such an institution.

The journal of the anti-masonic convention is now completed—the reports and address we expect to make room for, pretty soon after they shall be published.

We take the present opportunity to insert reports of two important law cases—one relating to the *noise-making* bonds at Charleston, South Carolina,* and the other concerning the act of May 1830, more effectually to enforce the act of May 1823, concerning the duty on woolen cloths, &c. The first affecting the *constitutionality* of the tariff laws—the second bearing upon *"free traders,"* *alias* smugglers, and checking their operations—showing what are fraudulent entries at the custom-houses, by which the revenue has been diminished in millions of dollars, and the growers and manufacturers of wool are denied that protection which it was intended they should obtain—for the profit of *foreigners*; nine-tenths of such doings, at least, being for the benefit of Grab-galliered and other English adventurers—who put upon the price of their goods the whole amount which they retain from the treasury!

☞ We gave a fair and full account of the proceedings of the "free trade convention" at Philadelphia, with a sufficient sketch of the debates to show the direction which things are taking. Some of the speakers on the *unconstitutionality* of the tariff (though Mr. MADISON said, in 1795, that it was the *necessity* of laws to protect the industry of the people of the United States which originated the project of a federal constitution, having its start in *Virginia*), appear to have been pretty ardent, and a general discussion of the subject, involving, perhaps, the principles of nullification, may be expected; and the end will be—we know not what?—Some who admit the *unconstitutionality*, will kick severely against nullification, and many will reject both, though favorable to an extensive modification of the tariff, in a reduction of the duties imposed by it. We expect to insert all the reports of the "federalist committee," and the address—unless their excessive length shall render a selection necessary. The address reported condemns the tariff laws as "unconstitutional,"—we shall see how it is disposed of.

*It is stated in a Charleston paper that the defendants in the *bond case* have appealed from the late decision, and that it will again be tried in circuit court, which will sit in Columbia in November.

The Washington Globe, in reference to this bond case—

"We consider it highly honorable to the mercantile part of the community of Charleston, that none of them could be found so regardless of the sentiments of propriety, as well as patriotism, as seriously to question the right of the government of the union to lay and collect duties on imports. No effrontery could be found equal to this effort, but that of a practised attorney; and we do not believe that any one, even of this class, would have had the hardihood, but that he knew he might expect the support of a vice president and a league of lawyer politicians." This is "going the whole."

VOL. XLI.—No. 8.

☞ At the close of each semi-annual volume we expect some discontinuances, from deaths, removals and other causes; and are careful to post-up the names of all such as have previously ordered their papers stopped: yet a considerable loss is sustained because of the neglect of persons—who, having received three or four, or more, numbers of a new volume, are *reminded* that they had not intended to continue subscribers another year—and we are then notified of their wishes, not infrequently at the ungentlemanly cost of postage, but with the more serious evil of *breaking a volume* because of their carelessness! The least that common decency requires would be, that all such should pack-up and return the extra numbers which they have received—but this is very seldom attended to.

The current discontinuances are not more numerous than usual—but two or three provoking cases, (because taxed with postage), seem to render it necessary to remind all subscribers of the terms on which the REGISTER is published—that no paper can be discontinued, unless at the close of a volume, except in our own discretion—nor, unlike newspapers more properly so called, this work is in *volumes*, and much of its profit in the surplus or retained copies—which are valueless if incomplete. We have no desire to press it upon any individual. It will always be stopped at any time desired, being informed in due season—but it cannot be supposed that we shall submit to injuries which grow out of sheer carelessness, in the manner stated; and hereafter, if not regularly advised, we must enforce our terms, (and the established principles of the law in the case, as repeatedly decided), against those who commit such acts of injustice towards us.

☞ We are oftentimes favored with descriptions of new machinery. The compliment is thankfully accepted; but our knowledge of such things is so small that it is almost waste time to attempt to describe new machines to us—being ignorant even of the common names of the chief parts of them; and now too old to learn them. We feel much pride in the ever-restless genius of our countrymen, and will gladly notice the happy fruits of their talents, at all times and on all occasions—but, for the reason stated, cannot pronounce on machinery, unless having seen its effects, and then, perhaps, only incorrectly. Hence we have handed over to our friend Smith, editor of the AMERICAN FARMER, as more properly coming within his walk, an account of Smith and Thompson's "ditcher, lever and hedger," which was recently forwarded from Michigan—the postage being considerably and properly paid: which does not always happen in like cases.

☞ Mr. Thomas Ritchie has not yet enlarged the "Enquirer," that he may enter upon a liberal discussion of the tariff question with "Hezekiah Niles." He wants room—though his press groans under the weight of proceedings of small meetings of persons in Virginia against the tariff—at which from five to ten persons, in all, were assembled—each capable of writing for a whole week, and entirely convinced that the safety of the "universal world of America" depends on the publica-

*The Richmond Whig asks—Will our friend Niles inform us how comes on his expected controversy with our neighbor? We would suggest to him that the meeting of congress and our legislature is approaching, and they will furnish another excuse for putting it off. By the bye, we feel in the humor this evening of letting our friend Hezekiah into a secret. The proposed enlargement of the Enquirer has been delayed, waiting for a new head-piece, an article it has been sadly in want of for some time.

tion of a volume or two of his own matter in Thomas Ritchie's newspaper—which governs Virginia, which governs the south, which governs the union; out of which there is no good thing, and in which all things are *blessings or curses* as Mr. Thomas Ritchie orders that they shall be arranged!

This famous manufacturer of *blessings and curses* has had the magnanimity, on many recent occasions, to do what he might to injure the character of "Hekz-kim Niles'" paper, though ingloriously skulking from a generous argument with him. And the latter has the pleasure to notify Thomas Ritchie of the success which attends his kind exertions! Since the first day of the present year, ONLY seven hundred and fifty-two new subscriptions have been made to "NILES' REGISTER," or, at the rate of only one thousand for the current year—and the whole number now printed is only four thousand one hundred and four copies, requiring one hundred and seventy-one quires of "white paper," for every publication. As this increase is a very small one for an old paper to obtain—the fact is proclaimed, in melancholy sadness, that Mr. Thomas Ritchie may have pleasure in the statement! If he believes it not, he may depute any custom house officer here, (ready to yield a prompt obedience to his commands), to count the names on our subscription-book, and examine the worthy working people employed in the office—that the ruin caused by Thomas Ritchie's "curse" may be established beyond all manner of doubt!—and he will likewise discover that only about one hundred of these new names came from Thomas Ritchie's dominion—which is Virginia. The officer whose duty it may be, shall also have the discontinuance-book laid before him, that Thomas Ritchie may have yet more pleasure therefrom!

To be serious. The littleness of Mr. Ritchie, in frequently attacking the character of the REGISTER, because that its editor yields "no allegiance" to his "weather-cock" standard of right, has rather excited pity than provoked contempt. The facts above stated are true—and I am thankful for the great patronage which has been afforded. Gratitude is best shown in works. The last volume of the REGISTER was the most capacious, as well as the most interesting, perhaps, ever published, except at an extra charge to subscribers; and it is probable that the current volume, in the quality and quantity of its matter, will be much more valuable than the last. It is a favorite saying with me, that "the protected should protect!"—and the substantial encouragement given is continually pressing itself upon the strong desire of my heart, TO RENDER JUSTICE to the numerous and faithful friends of THE WEEKLY REGISTER; as well as to induce yet many more to receive this extensive "Chronicle" of the events of the times.

☞ The U. S. Telegraph is publishing major Eaton's reply—with copious notes. Some of them are curious, and others severe—and will much interest all who are knee deep in the "controversy."

MONDAY. The secretary of the treasury has given public notice that, on the first of January next, nearly six millions of the public debt will be paid off. This will be so much more capital released, and we suppose its being set afloat will have the effect still further to advance the price of stocks. Messrs. Calens and Mr. Poultney, (private bankers in Baltimore), if they do not beware in time, will rue the day that they offered to pay five per cent. interest upon all deposits of money for a term not less than twelve months. It is paying too dear for the while.

☞ The preceding paragraph is from the "National Intelligencer." The opinion of many persons in Baltimore, who are thought to be among the best judges of "money matters," is opposed to that of our friends of the "Intelligencer." The fact is, that, because of heavy exports of specie, on account of the high price of exchange on England, money has already begun to be "scarce," and will soon be in great "demand." There have been more movements of specie in Baltimore during the last three or four weeks, than, perhaps, in the preceding twelve months. The protection of domestic industry had caused much ease to the whole (solvent) trading community—but the vast importations of foreign goods, and

the consequent departure of specie, shows that the tariff is not yet sufficiently high, or its provisions sufficiently enforced, to prevent injurious derangements of business, by fluctuations in the value of money, as measured by the price of lands, houses, or any other thing. Moderation is always best—and steadiness most profitable. There has been an apparently regular and safe rise in the value of property in nearly all the chief cities and towns of the United States—but the abstraction of ten millions of dollars from the vaults of our banks would lessen the circulation not less than fifty millions, and so increase the value of money that many engagements, thought entirely prudent two months ago, may not easily be complied with. We regard specie only as a merchantable commodity, and should it reflux on account of the low price of bills of exchange, all persons ought to rejoice in its movements, shewing a profitable circulation of value; but when it departs because of the high price of exchange, (not being a native production), it is the best of all possible evidence that there is a real balance of trade against us, however difficult it may be to prescribe rules which certainly shew what are balances of trade. A few years ago, as we have often remarked, it was the fearful cry, of the profound philosophers of the south, that the tariff laws would ruin the revenue, and compel a resort to direct taxation for the ordinary support of the general government: now the fact is, as we have always said that it would be,—the common prosperity of the people, because of a protected industry, enabling them to purchase more freely, will give to the revenue not less than five millions of dollars more than the most sanguine calculated for the current year, shewing an extra importation of about twenty-five millions, which must be substantially settled in coin, unless increased demands should be made for our staple productions—and there is no prospect that Europe is willing to make a general war for our benefit.

P. S. Since the preceding was written, we have ascertained that money is scarce—very scarce, among all that are dependent on the usual accommodations at bank; and we learn that the pressure will become heavy, unless the export of specie shall be speedily checked. Between six and seven millions of dollars have lately departed for England—that week, half a million left New York in one day. Forced sales of goods are making to obtain funds, and ruinous prices only obtained for some of them. And the New York Courier and Enquirer says—"We understand from Washington, that the U. States revenue for the present year will exceed the estimates by eight millions of dollars. It was estimated at \$22,000,000—it will reach nearly \$30,000,000. Such is the prosperity of the country under Jackson! In two or three years the whole debt will be paid off."

If it be the fact, that the revenue will amount to thirty millions—bankruptcy must be "the order of the day!" These 30 millions will represent an importation of not less than 100 millions besides articles free of duty, such as specie, bullion, &c.—and what have we that can produce that mighty sum in the foreign market during the year? If the balance is drawn in specie, the distressing scenes of 1821-22 will be revived; and the payment of the public debt be attended with the loss of many times its whole amount to private individuals, in sacrifices of property and derangement of business.

RAIL ROADS, &c. The eastern extremity of the Baltimore and Ohio rail road reaches the tide, passing down that great thoroughfare, Pratt street. The most sanguine have been agreeably surprised at the result, (if any), obstruction which it presents to the ordinary transportation of persons and goods in, or across, the street. The rails are laid on solid blocks of granite, which are fitted to the common pavement; and there is now no difficulty or disadvantage to be apprehended in passing branches of the road through all the principal streets, if desired. Thus the trade of this road will be distributed to all parts of the city, as shall appear "necessary and proper."

The entire line of the Baltimore and Ohio rail road will be opened to the city of Frederick, and to the Potomac, at the Point of Rocks, and be in full operation, before the end of the present year; and then a vast quantity and weight of articles will be transported on

it—and we shall feel some part of the benefit which we have expected from this splendid undertaking; the whole execution of which is in the most substantial manner, though beauty and taste have not been disregarded. Many improvements have been latterly made in the construction, or use, of rail roads, and experience will yet lead to others not less important in the general economy of them, and of the power used, &c. The cost of transportations will be rendered much cheaper than has been hitherto supposed.

We intended to have given a list of all the rail roads now about to be commenced, or which are seriously contemplated—but have not either time or room to present it. Many long and important roads will soon be begun; and, when in use, we shall powerfully experience the good of the "American System," in the savings of time and money which these roads will cause.

CIRCUMSTANCES ALTER CASES! Some time ago, when "Hezekiah Niles" proposed the circulation of tracts among the free working people, to shew them the importance of the protecting system and in what manner it benefited them individually, a mighty outcry was raised against the proposition—the Charleston Mercury being at the head and Thomas Ritchie at the tail of its opponents; but the following will shew what is doing in that way in the south. That which was wrong, grievously wrong, in "Hezekiah Niles," is right in any English agent or Englishman—and surely so in any *unselfish* American who belongs to "the democratic party!"

The tract committee, (at Charleston, S. C.) reported that they had distributed, in various parts of that state, about 1,000 copies of Gen. Hayne's oration—179 copies of the celebration of the 4th July—150 copies of the address and constitution of the association—and 650 copies of tract No. 1, containing the proceedings of their first meeting. There are now printed and ready for distribution, 3,000 copies of Mr. Calhoun's letter, being tract No. 2. The printer has now in his hands, the copy for tract No. 3. The committee are also engaged in preparing a State Rights and Free Trade Almanac, for 1832—which will be ready for the press in a few days. Gen. Hayne read to the meeting a letter from a gentleman at the north, exhibiting the fact that the recent luminous exposition of the vice president of the United States, has already begun to enlighten the minds of their northern brethren with regard to the true character of our government. [Boston Courier.]

[Well—the account is balanced! About 60,000 copies of "Hezekiah Niles" late essay called "Politics for working men" have also been distributed, and in parts of the country where "Walker's appeal," (which, however, we have never seen, and shall never approve), would create less excitement, though the public roads were covered with copies of it, than so many skeletons of the life of the "man in the moon."

FRANKLIN INSTITUTE. The exhibition of this institute at Philadelphia, commenced on Wednesday last and will close to-day. It is in good season for the "free trade convention," and we venture to say that if the members of that body will attend this splendid show of the products of American industry, examine the quality and ascertain the *prices* of the articles—many will think that they had better staid at home. The specimens of broad and other cloths, carpets, stoves and grates, marble work, glass wares, porcelain, cotton goods, and blankets are specially mentioned, because of their great variety, good quality and beautiful appearance. The list of articles is exceedingly numerous, and shews many things in high perfection which few persons in the south believe are made in the U. States. In all our cities, the sales of American goods far exceed in value those of the imported. The domestic manufactures sold at Philadelphia, are worth much more than the whole cotton crop of the United States. We do not include in this notice the product of mechanics working to orders of individuals, for their own use.

THE NEW YORK CONVENTION. The delegates to be appointed to attend the convention of agriculturists, manufacturers and mechanics, to be held in the city of

New York on the 26th instant, promises to be numerous and highly respectable. The object of this meeting is to promote and protect the domestic industry, in all its chief departments, and secure the *home market* to American citizens.

The call of a meeting at Boston to appoint delegates to this convention, is signed by about two hundred and fifty persons—many of them we know to be of the most respectable standing, and without regard to differences in political opinion. This is as it should be. The principles to be considered have no reference to the parties of the day, and, we hope, will be sustained long after the present actors in them have passed off the stage, and are "seen of men no more."

The mayor of Boston heads the list of persons calling the meeting at Boston, and Mr. Arnold, governor of Rhode Island, heads that which calls a meeting at Providence. A like call is made at Wilmington, Del. We observe that, in all these cases, gentlemen have associated without respect to political parties.

PROGRESS OF GOOD PRINCIPLES. Several cotton-planters have lately added their names to our subscription list—having seen, and magnanimously felt, willing to admit, that the tariff inflicts no injury on them, while it benefits other numerous classes of their fellow citizens, and powerfully increases the general wealth and power of the nation. We sincerely believe—and we have reflected much on the subject, that the cotton manufacture in the United States has, or will, accomplish almost as much good to the planters as they have derived from the gin, which a Yankee furnished them with, to clean their great staple product; and that, at this time, such manufacture causes the consumption of from *two to three hundred thousand bales of American cotton* for cloths that would otherwise have been made out of *EAST INDIA* cotton—because the *British*, that they may come into competition with our manufacturers, are compelled to use our strong and clearer cotton, in lieu of the product of their own East India possessions—and besides, no ship-loads of cotton goods now reach us from India. We have seen whole cargoes of them, but shall see them no more. This matter is worthy of much reflection.

The following is an extract from one of the letters just received from Alabama—

Alabama, Sept. 15, 1831.

Dear sir:—The importance of the REGISTER in those portentous times, induces me to order it expressly for myself, having taken it the last 18 months with a friend. We have a very respectable minority in favor of the American system, and those among the most able planters; and I would aill, to the honor of our state, we are not cursed with many nullifying demagogues, whose gratuitous services are so kindly proffered to the poor cotton planters. While the manufacturer sells at the present reduced prices, we have no just cause of complaint, and can make more by raising the raw material than by manufacturing of it—and this is the ostensible reason they are not established among us. My crop of cotton has paid nine and a half cents (clear) for the last three years (perhaps handled with more care than is practised by every person); at this price I think it a more profitable crop than sugar, and it yields the economical farmer a handsome support (with ten children to feed, clothe and educate). Enclosed you have a U. S. five dollar bill, please commence with the first number of the volume," &c.

ANOTHER.

Extract from a gentleman in Georgia. I have now taken your paper for ten years, and acknowledge myself pleased with its course, though often embattled for uttering its sentiments. Your information respecting the iron and other domestic manufactures has enabled me to keep on hand a constant supply of all the newest articles of our own manufactured goods.

A letter from Mississippi. "We have a powerful minority, decided advocates of the system of protection, among these too are many of the very largest cotton planters, and those who calculate most closely their own interests. [Sept. 13.]

The occasion is well fitted to add the following from the Richmond Whig.

The tariff.—The views of the writer of the letter from Louisiana, to the editors of the Whig, from which we make the following extract, are expanded and just. The argument applies with equal and greater force to the bread stuffs of Virginia, because they are, *in fact*, excluded from a foreign market, by foreign monopoly. We do conscientiously believe that our wheat, flour and corn are appreciated in value at least ten per cent. by the encouragement now given to domestic manufactures; and that, but for the northern manufacturer, not one half of the present product of Virginia could find a market. It is this view of the subject mainly, which has induced us, in despite of the certainty that we were making ourselves unpopular at home, to advocate a protecting tariff. Free trade we prefer, could we get it; but when restriction is the order of the day in the great markets of Europe, national pride and self-preservation call on us to meet restriction with restriction. Time was when in a contest of this kind, Virginia would have been the foremost to meet a cunning foe, and we do not despair that her ancient spirit may yet be revived.

"Franklin, La. August 27th, 1831.

"It is a remarkable fact, that the cultivators of the same staple in different sections of the country, should entertain so entirely different opinions on the policy favorable to their pursuit.—There is not a cotton planter on Red river, whose mind is capable of analyzing and investigating, but admits the benefits they derive from the tariff. Some of them are men who would do honor to any state for their talents and learning; one of them in particular, who in former times thought it theoretically injurious, now acknowledges it practically beneficial; and this gentleman is one of the first members of our bar, and sells yearly hundreds of bales.

"I believe the Carolinians allow that the prices of their negro clothing, farming utensils, &c. &c. have fallen since the existence of the tariff. For the sake of argument, grant them their conclusion that the price of the staple is decreased in the foreign market, by the duties that are laid on the manufactured articles. Make an estimate of the difference of prices before and after the passage of the tariff law, of the things most used by the planters, and state the imagined reduction in the price of cotton, and then there will be an immense gain to the planter. He can now buy for the money which he receives for a bale of cotton, more in quantity and better in quality of that which he needs, than he could from the imagined price of a bale, if the tariff did not exist." This is easily demonstrated. No people in the world are accumulating more surely and steadily than the cotton planters of this state, whose plantations are managed with care and prudence. Between them and the cane growers, the prospects of the former are preferable."

AMERICAN SILK. The annual value of the product of raw silk in the United States, must now considerably exceed half a million of dollars—the chief part being created by the spare labor of a few women and children in certain small towns of industrious and thrifty Connecticut. But we hear of plantations of mulberry trees in several places, and of a great demand for silk worm eggs. If this should become general, the boys and girls, on many thousand farms in the United States, may have a delightful recreation, and earn for themselves from five to ten dollars each, without at all interfering with the usual or proper occupation of their time—for the mulberry tree may be found in sufficient numbers in most parts of the union, and the season which requires attention to the worms is a brief one. Markets are now established for the cocoons—the store-keepers will soon begin to take them in, in exchange for goods, and the whole business proceed in a regular manner. It is quite possible that, in the next year, the ultimate product of American silk will hardly fall short of 2,000,000 dollars—and it may become *efficien millions* without injuriously effecting labor, land or capital appropriated to other purposes—simply through

[*What is to make cotton rise if the tariff does not exist? Will the making in England of the goods now made here, increase the consumption of cotton? Do our factories diminish the consumption? Does cheapness lessen the quantity of cotton worn?]

[*Whig.*

the application of a little time, (which is now wasted), in a wholesome and highly interesting employment; one that is eminently calculated to give the youthful mind a sound direction, and lay the foundation for habits of industry and economy which cannot easily be shaken. With what a just and profitable pride, will children exhibit their new hats or bonnets, new coats or frocks, that they themselves shall purchase with *their own money*? Who can limit the effect of such proceedings, or value the ultimate product of such principles, implanted in the bosoms of the young?

My valued friend Mr. Knapp, of Economy, Pennsylvania, called last week and presented me with a very handsome and serviceable pattern for a silk vest—the making of the silk and the vesting, being all within the "family." He stated that they had made 1000 lbs of silk last year, and were preparing to go extensively into the business—adding, he had given notice that he would purchase all the cocoons offered, and should have in operation all the necessary machines for the manufacture of silk goods. He showed me also a silk neck-handkerchief, such as is in general use in the family—an excellent article, of delicate softness and yet strong. The people at Economy are, of all others, perhaps best fitted to afford an example in this respect. When their mulberry plantation shall be in full bearing, they will certainly make much silk among themselves; and what is yet more important, be able to supply plants and eggs to all who may desire them, on reasonable terms—and thus add many tens of thousands of dollars to the productive industry of their neighbors, who, once enjoying the profits of this new business, will pursue it with that zeal which so strongly marks the character of the free laboring classes of the United States.

Since writing the preceding we met with the following interesting paragraphs in the *AMERICAN FARMER*.

The editor of the *American Farmer* has had the pleasure within a few days, of receiving half a dozen skeins of sewing silk made by Miss Belinda Grishy, of Rockbridge county, Va. She obtained the eggs of the editor last winter, with brief directions for their management; fed the worms on the common mulberry of the adjacent forest, reeled the cocoons with a common country cotton reel, doubled and twisted the silk with a common cotton spinning wheel, and dyed it with such domestic materials as were at hand. The gentleman who was the bearer of the specimens, is a merchant of that neighborhood, and, when asked his opinion of the silk, he said it was as good as any Italian silk he ever sold, and that he wanted no better, that it would sell readily, and that he would purchase all the young lady could make at \$8 a pound. It is Miss Grishy's first attempt, never having even seen a silk worm previous to this summer, nor received any other instruction in any branch of the art than that contained in our brief directions. Her success in this trial has determined her to pursue the business regularly—finding it, as she says, both pleasant and profitable, and by no means difficult.

The quality of the silk is really excellent—its only faults being in the dyeing and fineness. The pink and red are rather dull, but the green is beautiful; none of the colored skeins, however, have the rich gloss of which silk is susceptible. Four of the skeins are of a good sized thread for common use, but two of them are almost as fine as the fibre of the spider's "attenuated web." And yet it had been twisted, doubled and twisted again on a common wheel. These, however, she only made thus fine to see how delicate a thread she could make. We have called the silk excellent, by which we mean that it was perfectly evenly reeled, properly twisted, and of good strength, and not inferior in any quality except the colors, to any silk we ever saw. These samples of silk may be examined at the office of the Farmer by any one who may take an interest in the matter.

American silk. The cultivation of mulberry trees and silk worms, in various sections of the country, is rapidly extending. Orchards, even including 100 acres, were planted during the last year; and many are now reaping a handsome profit on silks. The New England Farmer says—a gentleman in Mansfield, Conn. had upwards of 10,000 skeins of sewing silk, which readily sell for about \$8 50 per pound. Machinery is now

being completed in that town for spinning and weaving the raw material, under the direction of competent foreigners. The sales of sewing silk alone in Mansfield this year are estimated at more than \$85,000.

With the extent of country embraced by the United States, and the diversity of the climate, it is rational to calculate that the time is not very far distant when our enterprising citizens need not be under any dependence to foreign nations, either for the necessities or luxuries of life. All the fabrics which comfort or convenience requires, are now manufactured in great abundance; and as many as may be demanded by the most fastidious taste, the development of our resources will soon supply. (Poulson.)

SHIP BUILDING was hardly ever so active in the United States as at the present time—a certain "sign" that the tariff is ruining the commerce of the country! We hope that there may not be an over-building. The ships lately launched are generally vessels of a very superior class.

FLOUR—Liverpool market, August 20. Average for wheat 6½. 10d. the quarter. The price regulates the duty—and, on the day given, the duty on flour was 22½ cents, per barrel. "Free trade."

EDITORIAL CHANGE. The New York "Age" being merged into the "Evening Journal," the latter has appeared in a new dress, and promises to be conducted with much spirit and ability. It is faithfully devoted to the interests of the free laboring classes.

MR. EVERETT, it is understood, will attend the fair of the American Institute at New York on the 11th inst. and deliver an oration suited to the occasion.

"LABOR IN VAIN." Governor Hamilton, of South Carolina, delivered on the 12th ult. at the meeting of the state rights and free trade association, an address from which we make the following extract. The attempt to impeach the motives and attain the character of Mr. Madison, reminds us of the old story about the "siper who gnawed a file" and only broke his own teeth. But how shall we measure the dignity of this proceeding, when we recollect that Mr. Hamilton is governor of a state? The wild policies of the day have certainly reduced the character of man in the United States; and that respect for private opinion which every gentleman once entertained, seems very much lost in the whirl of passion, vented in a *courtesie of speech* that has a proper place only among the inmates of a cross-roads tavern.

"I know that an effort has been made to show that Virginia, in her celebrated resolutions of '98, either meant nothing by this great right of state interposition, or she meant to assert the naked right of resistance to unlawful power. I say Virginia, for I prefer to speak of that great democratic commonwealth than of Mr. Madison, who happened, accidentally, to be the organ of her public sentiment. She abides, I trust in God, where she did. He has crossed the Potomac, horse, foot and dragons, and thrown himself on the side of the moneyed oligarchy of the North, by espousing all their profitable doctrines of consolidation, and repudiating all those safe principles of construction to which Virginia owes her influence and authority in this confederacy. It is no new fact in the history of the world, that many men have had the intellectual power to strike out great truths, which they had not the moral courage to sustain; and it is unfortunately but too true of Mr. Madison, that there is scarcely a single principle which brought him into power in 1800, that he has not discarded in 1830, and his last opinions testify that most odious and dangerous heresy of consolidation, that long continued violations of the constitution, repeatedly affirmed by a majority, sanction the usurpation. Contrast the letters of this gentleman on the tariff with his speech in the first congress on the navigation, tonnage and duty bill; his exposition of the Virginia resolutions in that great federal journal, the North American Review, with his own report; his speech on the bill to incorporate a national bank, with his recent letter to Mr. Ingersoll, and the

justice of these reflections will become sufficiently obvious."

AWFUL! The Charleston Mercury, (chief nullification paper), of the 24th ult. contains the following requisition, under penalty of—

"Let congress repeal the tariff—abandon the principle of protection—abolish internal improvements—enact none but bona fide revenue laws—and let the government be administered fairly and honestly upon the great principle of equal burden and equal benefits, and southern excitement will instantly cease, harmony be restored between the different sections of the country, and new life and vigor infused into the union itself. But unless these things are done—it is unnecessary to say any more."

[What happened in "the days of the Hartford Convention" so inmodest and outrageous as the preceding? Does a southern position give boldness to treasonable suggestions? Are they who most bawled at the "Hartford Conventionists" made of so much better stuff that more extravagant acts in themselves are patriotic?]

CHIEF JUSTICE MARSHALL, patriarch and oracle of the law, arrived in this city on Wednesday last, and has taken lodgings at Mrs. Sworld's. He comes as an invalid, but the medical skill to which he has repaired is equal to what man can accomplish against disease, and will be exerted with the profound interest due to so venerable, useful and celebrated a character. It is the intention, we believe, of the members of the Philadelphia bar to offer him suitable public honors.

[Nat. Gaz., Oct. 1.

MR. CALHOUN, it is said, "in any event" (if living and in health), will be a candidate for the presidency of the United States, at the next election.

NEW YORK. We much fear that this city is paying dearly for its pre-eminence in commercial communications with the old world—not only in becoming the temporary resting place of many foreign vagabonds and villains, but because of their example on the native population. We are shocked with accounts of all sorts of crimes—four burglaries recently happened in one night, acts of violence are common, and pick pockets and petty thieves abound; some high-way robberies also take place, and persons are knocked down without ceremony—and yet the police is one of the best and most efficient, in the detection of rogues, in America. We gather these facts from the proceedings of the judicial tribunals.

The N. Y. Daily Advertiser learns from authentic sources, that during the month of September the people of this city, and strangers visiting it, have been robbed of \$5,918 in money, 16 watches, 272 silver spoons and almost an incalculable amount of jewelry, clothes, cloths, household furniture, &c. &c.

MARYLAND. Excessively pressed for room, as we should have been if giving sixty-four pages instead of thirty-two to the present number, though twice our regular quantity, we cannot do more just now than offer a summary view of the results of the general election in Maryland, which took place on Monday last. Particulars hereafter—for reference.

Congress. Messrs. Howard, and Mitchell (Jackson) have been re-elected—Mr. Worthington (J.) supplies the place of Mr. Brown (J.) who was a candidate; and Mr. Thomas (J.) has beaten Mr. Sprigg, also Jackson, the late member, and a candidate—total 4.

Messrs. Semmes and Washington, (Clay), are re-elected—Mr. Jenifer (C.) succeeds Mr. Dorsey (C.) who declined a poll; Mr. Spence (C.) takes the place of Mr. Wilson, (J.) who was not a candidate, and Mr. Kerr (C.) has beaten Mr. Spencer (J.) the late member—total 5. So the vote of the state is for Mr. Clay.

Legislature. We have not all the returns for the house of delegates—but it is supposed that 57 Clay, and 23 Jackson members have been elected—total number 80. Add the senate, 15—and the vote in joint ballot will stand 72 Clay, 23 Jackson—majority 49.

GEORGIA. We present a case in Georgia, page 121, wherein the governor has nullified the decision of the superior court for the western district of that state. It is a novel proceeding, and will cause no small degree of excitement and surprise—if any thing can surprise persons in these strange and troublous times, when every thing, in the heated-south, is on the high-pressure, and a "bursting of the boiler" may be expected, though we know not *how, when, or wherefore*. But *Quem Deus, &c.*

Athens, Geo. Sept. 30. At the Gwinnett term of the superior court held last week, the rev. J. J. Trott, rev. Ezra Butler and rev. S. A. Worcester, missionaries to the Cherokee nation, were sentenced to imprisonment in the penitentiary for four years each, for refusing to take the oath to obey the laws of Georgia. At the same term seven other white men residing in the nation, viz: Messrs. Ginn, Delosier, Mayes, Coplin, Eaton and two persons by the name of Thompson, received each the same sentence for the same offence. The old plea, denying the jurisdiction of the court, was the only defence set up.

Augusta, Sept. 26. This morning's mail brings us the following news from Milledgeville: Nine of the convicts above mentioned, have been pardoned by the governor, on giving assurances that they would not again violate the laws. Two of the missionaries, Worcester and Butler, refusing to give such pledges of future good behaviour, were committed to the penitentiary. Mr. Worcester has applied to the supreme court.

Stocking. "It is currently reported, (says the *Massachusetts Telegraph* of the 24th ult.) in some of the upper counties, that gov. Gilmer's guard have, without the intervention of judge or jury, lately put to death three Indians, by shooting, for digging gold on the Cherokee land." We must hope, for the sake of humanity, the feelings of our people, and the character of the state, that this cannot be true; but, when we reflect how much all these have lately and frequently been outraged, in the same quarter, and by the same men, we cannot help learning the worst. [*Augusta Chronicle.*]

The rev. Mr. Worcester, at the time of his first arrest, was post-master in the Cherokee country, and, as an officer of the United States, discharged, as not within the operation of the law of Georgia; but as soon as the facts were known at Washington, he was dismissed from the place of post-master, and immediately arrested, a second time, by the military force of the state of Georgia, and has been sent to the penitentiary as a criminal. On this point the *Louisville Post* makes the following pregnant remarks: "Is it within the reserved rights of a state to refuse any peaceable citizen of the United States a residence within her geographical or chartered limits, unless he will take an oath prescribed by such state? Is it consistent with that guaranty contained in the constitution, that secures to each citizen of any state, all the *privileges and immunities* of citizens of the several states? Where, then, does Georgia derive the power to imprison the Cherokee missionaries for not taking such an oath as she prescribes? It is not within her reserved powers to condemn men to incarceration without crime, without conviction, without trial, without even an accusation of crime. Yet all this she is doing with impunity!"

[We have a full account of the trial of the offenders, with the opinion of the court, &c. The case is headed, "*THE STATE vs. the MISSIONARIES*," and the whole shall be registered.]

INSANITY, produced by wild notions about religion, has recently caused several murders and suicides in the United States; and hence some of late exciting meetings have been severely condemned. There surely is a right-limbed limit even to a zeal to do good—a fitness and a discretion in all things. The brutal deed is easily broken—and when we see that surgeons are oftentimes punished for misadvent operations on the body—are we without remedy against individuals who work upon and destroy both body and mind, by misdirect or ignorant proceedings in religious subjects, which bring forth murder and suicide? It is a delicate matter, and one that should not be lightly interfered with—but we think there have

been cases wherein the law ought to have applied to punish evil-doers for outrageous attempts to accomplish what they thought was good. If ignorance does not excuse the surgeon or physician, why should it the clergyman? We cannot see why. And in highly excited cases because of feelings about religion, worthy clergymen would be as cautious to reduce them into soberness, as a faithful physician could be to lessen the fever of his patient, preliminary to a cure of any general disease which might afflict him. The fever, in either case, must be first "broken"—and then a healthful state may be hoped for.

IRELAND. In continuation of the facts and remarks that we presented some time ago concerning the state of Ireland, because that the British government preferred the labor of Englishmen and had established a precedence for it in many respects, we have some additional facts and remarks to offer—that the true system of "*politics for working men*" may be better understood. The strange operation now exists—that provisions exported from Ireland, to keep down the balance in favor of England, (because of the superior encouragement or protection to labor in the latter), have been purchased at Liverpool, and returned, in charity, to the very places from whence they were exported, in payment of debts! This fact is one of the best of all possible illustrations that can be offered of the importance of the HOME-MARKET. Had the VALUE of the bread-stuffs and meats sent to England from Ireland been exported in manufactures, starvation in the latter, if not wholly prevented, would have had a much less fearful extent. Out of these facts we shall also show the glaring absurdity of what is called "free trade," unless to increase the wealth of one people, by adding to the privations of another! It is impossible, in the present state of society, that it can be mutually advantageous. We mean real "free trade"—not English "free trade," which only means profit to England.

From the London Morning Chronicle—In another column will be found a report of a trial at the Kilkenny assizes, of two Roman Catholic gentlemen, for a conspiracy to compel a clergyman to lower his tithes. The jury were exclusively Protestants. They were convicted; and the judge (Johnson) sentenced them to twelve months' imprisonment, and a fine of £50 each.

The severity of the sentence will strike most of our readers. The *Dublin Morning Register* says—"These gentlemen appear to be men of high and spotless character. It is proved that the public tranquility owes them a great deal. They offended without knowing what they did. But with the judges of this country, the last consideration is the guilt of the prisoners. They sent about them to see what offences are epidemic at the time, and woe to the prisoner who happens to have committed an epidemic offence or crime. Sheep stealing, for instance, happens to be on the increase; "we must make examples" (say they), and no mercy for sheep stealers that year. Tithes, as our readers well know, are at present a very ticklish property in Ireland. If report is to be believed, the people have generally refused to pay them, and at the sales there are no bidders; so that it has been found necessary, in some cases, to convey the goods taken for tithes to England. Tithe offences are, therefore, at present peculiarly obnoxious; and hence, by way of example, and to cure country gentlemen of their disinclination to pay tithes, this enormously severe sentence. At another time, the same offence might have escaped with a fine of five pounds. If the power of judges in such a case extended to hanging, they would have thought an execution or two beneficial to arrest the progress of the evil.

RUSSIAN LOAN, &c. The house of Hope & Co. of Amsterdam, have opened a loan for Russia, on commission only, not being contractors. The English call it a "Pole-murdering loan," and it gets on badly, though offered at 78 per cent. for a 5 per cent. stock—or, at the start, 22 per cent. under the par. The intended amount is 20 millions of rubles, equal to three millions sterling, but if taken, because of the discount, will produce only £2,300,000! To such a straight is the great autocrat

redressed. It was very uncertain if it would be taken up even on the terms proposed.

It appears from the proceeding that the present par of the Russian ruble is 5s. sterling. The silver ruble, we suppose is meant.

THE MADAWASKA TERRITORY. The governor of Maine, under a resolve of the legislature of the state, lately appointed Messrs. Deane and Kavanah, commissioners to visit the disputed territory on the river St. John, to inquire into the condition and disposition of the inhabitants, and to give them information of the proceedings and views of the government and of the state in relation to them. These gentlemen entered on their mission about the middle of the summer, and returned safely near the end of August, having accomplished the objects of their appointment. On their arrival at the Madawaska settlement, notice of it was immediately despatched to the British authorities at Fredericton. They were soon after met by the Warden of the disputed territory, by direction of the provincial government, who inquired of them the objects of their mission. These being frankly explained to him, he protested against their proceedings, and told them that if they persisted, it would be his duty to continue with them. They expressed their regret at giving him the trouble, but told him they were bound to carry their instructions into execution. He continued with them two or three days, but offered no impediment to their proceedings.

(*Boston Daily Adv.*)

*Reports are in town that difficulties have occurred on the Madawaska between the British soldiers and the United States citizens. The latter, it is said, undertook on the strength of a deed to take possession of lands, which were in the possession of the British citizens, whereupon a quarrel ensued which terminated in the death of seven British soldiers and four United States citizens. We give this report as circulated from sources tolerably authentic; but it is well not to give it too much credence before it is confirmed from the quarter itself."

(*Portland Daily Adv.*)

OFFICE OF THE COLONIZATION SOCIETY, Washington, Sept. 29th, 1851. The managers of the American colonization society have received information that many respectable free persons of color from the lower counties of Virginia and North Carolina, have made earnest application to the agent of the society in Norfolk for a passage to Liberia. Desirous of meeting the wishes of these applicants, the managers, notwithstanding the recent appropriation of 5,000 dollars towards an expedition from the western states, have authorised a committee in Norfolk forthwith to charter a vessel to convey thence from 150 to 200 emigrants, with the necessary supplies, to the colony, and they now invite the aid of auxiliary societies, and their friends generally, for the accomplishment of this object. Another expedition may, perhaps, be despatched from Virginia during the autumn, should the resources of the society justify additional expenditures. Auxiliary societies and agents are requested to transmit such funds as they may have or obtain, as early as convenient, to the treasurer of the parent society. The managers indulge the hope, that the friends of the society will, at this time, use all possible means and endeavors to augment its funds.

R. R. GURLEY, secretary.

COLOMBIA. We are glad to learn that general Paz is using his best exertions to reduce the military and raise up the working classes. He dresses in the plainest manner, and avoids military display as much as possible. May he persevere in this conduct—may he be permitted to promote the arts of peace, and Colombia had repose under the power of the law!

HURRICANE IN THE WEST INDIES. We have long and fearful details of the late hurricane, felt with such terrific force at Barbadoes, and almost as severely at some of the other islands—that just named, however, being rendered "a heap of ruins." The howlings of the wind—the crash of houses, with the shrieks and groans of the people, are "tales of terror," indeed. Not one

house in Bridgetown escaped serious injury, and hundreds of persons were buried under their ruins—the very foundations of many being rooted up! Not a street remained passable—the churches were prostrated, but the church yards remained, and twenty or thirty bodies were buried in single pits, time not being allowed to give each one a grave! The country suffered equally with the town—the buildings and the crops all rendering homage to the power of the storm, and many of the late most wealthy planters were reduced to abject poverty, at once! The vessels were all cast ashore or foundered. So at St. Vincent's, with many deaths. At Munctioneal "the commotion of the sea was so great that the whole beach was covered with fish of every description, and a number of shells, known only to inhabit the deepest water, were thrown ashore. The public road was completely washed away; the wharves, both public and private, are all gone, excepting the piles, and a small sloop, the Faithful, is left in the middle of the public road. The damage done is considerable, but only extends to those situated near the sea." And yet the gale, itself, was not much felt there, and a letter from Port Maria says—We were visited with a tremendous heavy sea, and some of the oldest inhabitants do not remember to have seen it so violent. You may judge of its fury, when I state it rendered the road from here to Orebassa impassable, having thrown up immense rocks and trees with which the road was literally strewn!

The loss at St. Vincent's is estimated at £500,000 sterling; that at Barbadoes no one has ventured to calculate—not less than 4,000 persons are supposed to have been killed by the falling houses, &c. Some houses were entirely lifted up, and thrown great distances from their old locations!—large trees and other heavy bodies, were floated in the air, in terrible violence!

The aggregate of the damages sustained at various places must amount to many millions of dollars—probably not less than twelve or fifteen. The growing crops were, in many cases, wholly destroyed.

The people of those islands which escaped the gale, were doing much to relieve the calamities of the sufferers, and partial supplies of provisions and other necessities had been freely transmitted.

BRITISH SOLDIERS. We notice among the recent deaths of English military men some that are not without interest to us.

A colonel Anwyll of the 4th, of whom his biographer speaks in the highest terms, recently died in the Isle of Wight. After distinguishing himself in the peninsula, and particularly at St. Sebastian's, he came over to Canada as brigade major of gen. Robinson, and commanded the light troops of his brigade in an attack on the American pickets at Plattsburgh, and displayed a gallantry, which, if it had been more general, might have made sad work among our undisciplined militiamen, when they were "backside of Albany."

In July last, also died, aged 83, gen. sir Charles Green, bart. colonel of the 37th. He was an officer in the 31st during our revolution, was in several engagements on the frontier, and was wounded in the battle of Freeman's farm, while delivering a message from gen. Philips to gen. Burgoyne. In 1796 he had an appointment of high rank in Canada, and saw service afterwards in different countries.

Colonel James McDermot, of the military college, is another of the veterans of the revolution. He came over when Quebec was relieved, and remained in America till 1787, having been in service the whole intervening period. All these men died in the midst of wealth or honor. The British government has taken good care of its old soldiers. [*Albany Daily Advertiser.*]

*The damages sustained by the hurricane of the 10th October 1780, were estimated at seven millions of dollars, and at that time 4,326 persons lost their lives. The loss of life and the amount of damage by the late gale, are thought equal to those of 1780. In that year, the force of the wind and waves was so violent, as to remove a 12-pounder cannon, from the south to the north side of a battery, 420 feet!

FOREIGN NEWS.

An arrival at New York brings Liverpool dates to the 23d August.

FRANCE.

There seems to be no hope that France will interfere in behalf of the Poles, the Perrier policy appearing to prevail still in her councils. There is an article however in the *Courier Francais*, which mentions that the great powers, including France, have at length decided on acknowledging the independence of Poland. The harvest in France has been abundant and the grain uncommonly fine. The king, in answer to the address of the deputies, returns thanks, and says that the French army will be withdrawn from Belgium the moment that the safety of that country shall be secure from aggression. From the French Budget the credits asked for for 1852, is 1,097,700,000 francs, those of this year were 1,172,000,000, being less by 74,300,000 than those of 1851, to meet which the government have in available resources an excess of income over the necessary expenditures of 63,360,000 francs. Paris was quiet.

ENGLAND.

The reform bill is still progressing slowly, and the opposition have so far succeeded in their views as to load it with sundry objectionable provisions. The crops in England and Scotland were secured, and had proved to be a full average in quantity, and very superior in quality to those of last year. The foreign policy of the ministry is strenuously opposed, and the opposition seems to wish ministers to place themselves in a warlike attitude against France; the latter however coolly maintain themselves against every assault. Some alterations with respect to the army in Ireland, were in contemplation.

RUSSIA AND POLAND.

The main body of the Russian army was marching upon Warsaw, and a decisive battle was again speedily expected. The Poles were in fine spirits and expressed themselves full of hope and confidence. On the 12th of August the Russian commander-in-chief kept the grand army at a distance of 50 miles from Warsaw—the Polish army in sight. It was thought and feared that the plague would be introduced into the Russian army from their Asiatic provinces, where it had broken out with great malignity.

A successful attack had been made by major Anrel, of the Russian army, on the Poles at Osak, 500 were killed and 187, with 9 officers, taken prisoners.

The emperor Nicholas has issued a proclamation in which he enjoins it upon the Poles to return to their duty, and promises pardon to all who may seek it; tells them that he had sent other troops to strengthen his army, and that, if they do not submit, dangerous consequences must ensue.

PORTUGAL.

The Paris *Constitutionnel* states that Don Pedro, who had written to Don Miguel inviting him to meet him in London, and declaring, in case of refusal, that he should bring his daughter to Lisbon, had received an answer from Miguel, in which he states that, by taking the title of duke of Braganza, Don Pedro had become his vassal, and that as such by writing that letter he had been guilty of a want of respect to his sovereign; that he should be tried for his crime, as also for having assumed a title to which he had no claim, as, by abdication, he had forfeited it to the king's son; that the title of Donna Maria was invalid; that he had been proclaimed king and possessed the affections of the Portuguese, that Don Pedro was a blind tool of ignorant advisers, chosen from the lowest orders of the people; that he had become a second Alca, a complete rebel chief—a disturber of public order, and enemy to the peace of Europe, and an enemy to liberal ideas. Three emissaries had arrived from France with men for the French fleet, to complete their crews. Don Miguel was continuing his military preparations.

A regiment of the king's troops had revolted, killed their officers and marched to the public square, where they disarmed the police and gave their arms to the rabble. They were joined by many of the inhabitants; but were soon surrounded by a force under Don Miguel, who fired into them and killed from 300 to 400, when the survivors surrendered.

BELGIUM.

A correspondent of the London Times, writes from Paris that the greater part of the French army were to be withdrawn from Belgium—peace was therefore looked for. The utmost tranquility prevailed at Brussels, and the most friendly relations existed between the French commander-in-chief, gen. Girard, and the prince of Orange. The duke of Saxe Weimar is said to have insulted Lord William Russell, the English minister, and to have spoken disrespectfully of the king and queen of England.

BRIEF NOTICES.

Wool still bears a high price.—American from 50 to 70 cents per lb.

William Ramsey, esq. long a member of congress from Pennsylvania, and re-elected, died on the 25th ult. after a brief illness of three days.

Harrison G. Ous, esq. the faithful and vigilant mayor of Boston, has declined a re-election, for reasons exclusively of a private nature.

Civilization.—At the last bull fight at Aranjuez, the most celebrated *matador* in Spain was embowelled on the spot, amidst the loudest applause of the court and the other spectators!

The *pendent* during the last week had a sharp attack of intermittent fever. He was somewhat indisposed on his return from his visit to Carrollton, and he promptly applied efficacious remedies before the disease assumed the form of the epidemic, which is now prevalent in the city. By thus taking it in anticipation, the fever recurred only twice with violence, and the third chill was entirely prevented. He has been rapidly recovering since, and was able to ride out on Friday. [Globe, Oct. 3.]

A second mutiny, and by a second crew, has taken place on board the revenue cutter *Morris*, stationed on the coast of Maine.

Tennessee. The legislature of this state commenced its biennial session on the 19th ult. The message of gov. Carroll is confined entirely to matters of state policy, if we except the recommendation of the establishment of the general ticket mode of electing electors of president and vice president of the United States.—This course is recommended in order that the state of Tennessee may have its "full weight in the elections for president and vice president hereafter;" that is, not at the ensuing election, for he says, "it is true that no danger of division is to be apprehended at the approaching election; but in future," &c.

Cabbage. A family in Philadelphia has been poisoned—two of whom died and three were not expected to recover, from eating cabbage, thought to have contained a poisonous worm. A dog and a cat that ate from the dish on which the cabbage had been placed, took sick.

The population of the town of Manchester, England, and its suburbs, is thus given in a late British paper:

Manchester	142,026
Salford, divided by the canal only, and	
bridge of 150 feet	40,705
Charlton Row (estimated)	21,000
Hulme	9,600
Pendleton	8,435
Ardwick (estimated)	6,000
Cheetham	4,025
Broughton	1,530

All within two miles 233,580

Being an increase of about 75,000 or very nearly 50 per cent. on the returns of 1821.

The foregoing towns all join.

The editor of the *Guardian* further says, that within 7 or 9 miles of Manchester, the population was estimated to be a million. The goods manufactured in this thickly populated neighborhood, all, or nearly all, are disposed of in Manchester.

A laugh story.—"An old pilot of the Moluccas," says Piquette, "assured me of a verity that they had pigmies there who dwelt in caverns, and had ears so very long that they slept upon one, and covered themselves with the other." No bad hint for brother Jonathan.

"Heads of families." There are now in the employ of George George, esq. clothier of Fries, three men

who are the fathers of no less than fifty-four children, namely, Job Penny, 20; Jas. Butler, 17; Wm. Tumbury, 17.

[*Bath [Eng.] Herald.*—It would not appear from the preceding that manufacturers are unfriendly to population!]

A land gull. Under this term a Philadelphia paper gives a long description of a certain native of Mexico, whose most common name is Mareno, aged from 60 to 65 years; who has been playing off his swindlings in that city and its neighborhood. We had thought this fellow must have run his course—for it is 15 to 18 years since, affecting to be a piouser patriot, he preyed on many of the people of Baltimore, and among them on ourselves, for about fifty dollars. He is one of the smoothest scoundrels that ever lived.

Nobility. Among the European nobility probably the marquis of Stafford is the wealthiest individual. His income goes beyond £300,000 sterling. The duke of Medina Celi, whose wealth is generally taken as a standard and term of comparison, possesses only 214,000,000 reals, about £115,000, and he is obliged to keep a regal establishment, as he still keeps up his pretensions to the crown of Spain. His household amounts to more than 200 persons.

Macon, Geo. A letter from a friend at this thrifty town, says that it contains several schools—and is not wanting a school master, as has been stated.

Yale college. Subscriptions are now making by the alumni and friends of this college to raise the sum of one hundred thousand dollars to extend its means of instruction, and, at a late meeting of the alumni, thirty thousand dollars were immediately subscribed. It is expected that the whole sum contemplated will soon be obtained.

New Bedford, Sept. 19. Drowned, yesterday, in the diving bell employed near the Hen and Chickens to raise a wreck, capt. Jonathan Blanchard, of Plympton, aged about 40. Every effort was made to recover the body, but in vain. Capt. B. had a wife and five children, to whom this melancholly event will be peculiarly afflictive.

Died, on the 2nd Sept. at Millerstown, Pa. *John Reid*, esq., in the 86th year of his age. He was one of seven brothers who all joined the army of the revolution, a person of much influence among his neighbors, and highly esteemed.

—in Prallville, N. J. *John Prull*, aged 74 years—he entered the service of his country in the revolution as a lieutenant, and fought at Brandywine, Monmouth, &c. &c. and at Elizabeth-town was severely wounded. He was an elder of the Presbyterian church for more than 40 years.

William Chapman, who obtained considerable celebrity for curing impediments of speech, died suddenly in July last, in Bucks county, Pennsylvania, and his widow, ten days after, married a fellow who had been for a short time an inmate of the family, who called himself *Mina*—saying that he was the son of the celebrated general of that name. Mina soon rendered an act of justice to the wanton, by seizing upon all her valuables that were convertible into money, and leaving her to her private reflections. He has since been arrested to the eastward for the forgery of a draft of \$1,000, and is demanded by the governor of Pennsylvania to answer a charge of having poisoned Mr. Chapman, whose body has been raised and examined. The woman, his wife, had left the neighborhood, and, it is supposed, has concealed her shame and mortification in Canada. ["Mina" has been brought to Philadelphia. It is not long since he left one of the penitentiaries, on the expiration of his period of service—and, for murder or forgery, will be checked in his career of wrong.]

Drink for horses.—Some of the inn-keepers on the western road, (Eng.) have adopted the practice recommended by a member of the Bath Agricultural Society, of boiling the corn given to horses, and giving them the water to drink. It is most satisfactorily ascertained that three bushels of oats, barley, &c., so prepared, will keep the horses in better condition for working than double the quantity in a crude state.

The President, accompanied by Mr. Barry, Mr. McLane, and William B. Lewis, on Monday week, went

to Carroll's manor, to celebrate, with the venerable Charles Carroll, the ninety-fifth anniversary of his life.

FREE TRADE CONVENTION.

We designed to have attended this meeting at Philadelphia, which assembled on Friday, the 30th Sept. but could not make it convenient to leave home; and so, perhaps, have lost much information concerning the discovery and location of free trade.

We have a considerable body of articles in relation to the getting-up of this convention. It surely contains many gentlemen of first rate talents and most lofty character—but the manner in which many of them were made delegates, goes to show that the people have had very little feeling in this matter: in general, the primary meetings were exceedingly small. In some cases, and at most important places, hardly exceeding in number that of the delegates appointed by them! We notice that the *British subject*, Mr. Sarchett (one of the sixteen delegates elected by the meeting of fourteen persons at Philadelphia), is not reported as one of the members—but a certain resolution passed the convention with the apparent view of securing his invaluable services in the cause of "free trade." The delegates appointed at the "private" meeting in Baltimore have not attended—though two gentlemen are reported from Maryland. We have not the pleasure of knowing them, nor from whence they came—never having seen any notice of their appointment.

There were 51 delegates from Virginia; 40 South Carolina, all from Charleston except 15; or 3; 23 New York, all from the city; 13 Massachusetts, chiefly from Boston; 16 North Carolina; 15 Pennsylvania—all from Philadelphia; 11 Alabama; 9 New Jersey; 6 Georgia; 3 Maine; 2 Connecticut; 2 Maryland; 2 Tennessee and 1 Rhode Island, and 1 Mississippi.

The following sketches of the proceedings of the convention take in every matter of interest, reported in the Philadelphia papers, except a list of the names of the delegates, which shall be given hereafter.

Friday, Sept. 30. At 12 o'clock the meeting was called to order by Mr. Joseph R. Evans, of Philadelphia, and col. Richard Bassett, of Virginia, appointed chairman pro tem.

A long discussion then followed as to the manner in which the president of the convention should be chosen. Some would have the choice made by states, others pro capita; either party supporting its opinion with much tenacity. At last, to end the debate, which had become rather animated, Mr. Cheves moved that the convention would simply proceed to elect a president to-morrow; and then the meeting adjourned.

Saturday, Oct. 1. The convention was called to order at 10 o'clock by Mr. Bassett. Mr. Gallatin nominated Mr. P. P. Barbour, of Virginia, for president of the convention, and he was elected by general acclamation. On taking his seat, Mr. Barbour returned thanks for the honor conferred, in a very neat and brief address. Mr. Condy Raguet, of Philadelphia, was then appointed secretary.

Mr. Mitchell, of South Carolina, then rose and introduced to the consideration of the convention certain resolutions offered by Mr. Webster, at a town meeting in Boston in 1820, and made some copious remarks upon them. The substance of these resolutions seem to be as follows, and Mr. M. said that they contained the "universal sentiment of the people of South Carolina"—

"That high bounties on such domestic manufactures as are benefitted by the tariff, favor great capitalists rather than personal industry, or the owners of small capacity, and therefore that we do not perceive its tendency to promote national industry.

"That we are equally incapable of discovering its beneficial effects on agriculture, since the obvious consequences of its adoption would be that the farmer must give more than he now does, for all he buys, and receive less for all he sells.

"That the impositions of duties which are enormous and declared by a large portion of the people to be unequal and unjust, is dangerous, as it encourages the practice of smuggling.

"That in the opinion of this meeting, the duties of the tariff should be reduced to the standard of revenue for the support of government."

These resolutions were laid on the table.

Mr. Gallatin thought that before bringing specific propositions before the convention, some preliminary steps were necessary for the general arrangement of business. He had learned with great satisfaction that fifteen states were represented in the convention. The members had as yet had but little opportunity for ascertaining each others' sentiments. To promote this object and to facilitate business, he would propose that a committee should be appointed, consisting of two members to be elected by the delegation of each state, or of one member when, from the necessity of the case, there would be no more than one, and that to this federative committee thus formed should be committed the duty of arranging the order of business. The principal object of the convention was of a particular nature. A remonstrance to congress must be prepared. A committee of correspondence to collect facts, may be necessary. An address to the people of the United States, will, perhaps, be thought proper. To prepare business for the consideration of the convention, a general committee seemed necessary, and that this committee might have general powers, he offered a resolution expressed in general terms.

After some remarks from Mr. Jones, of Georgia, Mr. Poindexter, of Miss. Mr. Gallatin, of New York, Mr. Chives, of South Carolina, and Mr. Carpenter, of Maine, as to the rules of business, which, at last, seemed to be left to the "common law of parliament."

It was resolved that there should be a recess of half an hour, to afford the different delegations an opportunity of electing the members of the federative committee, for the general arrangement of business.

When the president had resumed the chair, the different delegations reported that they had elected the following gentlemen, members of the *federative committee*.

Massachusetts—Theodore Sedgwick, Henry Lee.

Rhode Island—William Hunter.

Connecticut—William J. Forbe, James Donsghe.

New York—Albert Gallatin, John Augustus Smith.

New Jersey—Cornelius H. Hardenburg, H. Vethake.

Pennsylvania—Thomas P. Cope, Clement C. Biddle.

Maryland—William W. Hays, A. E. Jones.

Virginia—James McGarrett, John W. Jones.

North Carolina—James Iredell, William A. Mount.

South Carolina—Chancellor Harper, D. E. Huger.

Georgia—J. McPherson Berrien, Eli S. Shorter.

Alabama—Enoch Parsons, Henry Goldthwaite.

Mississippi—George E. Poindexter.

Tennessee—Willich E. Butler, Alexander Patton.

Mr. Berrien, of Georgia, stated that it was desirable to ascertain the operations of the duties in various parts of the union, and as some parts were not represented on this floor, he would offer a resolution to invest the president to invite persons capable of giving information, to a seat within the bar.

The resolution was unanimously adopted, and the convention adjourned to 12 o'clock on Monday.

Monday, Oct. 3. A number of new delegates appeared. The president announced the names of several gentlemen, (not given in the proceedings), in the discretion allowed him by Mr. Berrien's resolution. The president was invested with power to make accommodation for such ladies as should please to attend. On motions made, it was resolved that chief justice Marshall and Mr. James Brown, of Lou. should be invited to seats within the bar of the convention—and some other minor matters were attended to.

Mr. Gallatin, the chairman of the federative or general committee, reported that the committee were doubtful of the extent of the powers conferred on them—whether they had authority to draft a memorial to congress, and an address to the people, or simply to prepare business for the consideration of the convention. He had been instructed by the committee to ask for information on these points, and also to submit to the convention, a resolution for the appointment of a committee, consisting of one person from each of the states represented in the convention, to prosecute before con-

gress the great objects which they had assembled to promote.

After remarks from several gentlemen, it was agreed that the committee should be authorised to prepare drafts of a memorial, and such other papers as they might deem necessary.

The president laid before the meeting, a document that had been forwarded from Lauderdale county, Alabama. It represented that the citizens of that county were decidedly opposed to the tariff policy, but that it was inconvenient to them to send representatives. They would, however, be bound by the proceedings of the convention, provided they were not of a nullifying character. They also suggested the holding of an annual meeting of the friends of free trade, the delegates to which should be appropriated among the several states according to the number of their representatives in congress.

On motion of Mr. Gallatin it was then resolved, that there should be a recess of an hour, to allow the federative committee an opportunity for deliberation.

When the president resumed the chair, Mr. Gallatin, the chairman of the federative committee, by direction of that committee, reported two resolutions, one directing an address to the people of the United States, the other a memorial to congress, to be prepared, to promote the objects of the convention.

These resolutions were adopted without a dissenting voice.

Mr. Mercien of New York, then offered a resolution requesting the general committee to have the memorial and address prepared, and to submit them to the consideration of the convention.

It would, he believed, be conceded on all hands, that attendance in the convention was very inconvenient to many of the members, and productive of great sacrifices. The sooner we get through the business, the more satisfactory it will be to all. Mr. M. proposed to commit the duty of preparing the memorial and the address to the general committee, because it was already appointed, because it was well qualified, and because, from the manner in which it had been formed, it possessed the means of ascertaining the exact wishes of the different states represented in the convention. An additional reason was, that some interchange of sentiment on the subject of the memorial and of the address, had, he understood, already taken place among the members of the committee.

The motion was adopted, 117 members voting in the affirmative.

Mr. Jones, of Georgia, then offered a resolution, the gist of which was the absolute unconstitutionality of the "American System."

Mr. Charles Q. Clapp, of Maine, proposed a substitute, asserting the opposition of the "American System" to the spirit of the constitution.

On motion of Mr. Bassett, it was resolved to lay the resolution and the substitute on the table.

Mr. Poindexter, of Mississippi, then offered a series of resolutions, expressive of the warmest attachment to the constitution, and a determination to defend it at all hazards from all foes external and internal; but insisting on the principles of strict construction, declaring a constitution to be an instrument limiting the powers of the governors, and that when these limits were transgressed by the governors, the people ought not to submit.

Mr. Poindexter offered to lay the resolutions on the table, and Mr. Vethake, of New Jersey, made a motion to that effect.

Governor Miller, of South Carolina, thought this course would be improper. The resolutions purported to be instructions to the general committee, and if they were to have any effect, they ought to be discussed before the general committee made its report. Laying them on the table, might retard the proceedings of the committee.

Mr. Jones, of Georgia, in an animated speech, declared that the object of his resolution was to instruct the committee, and the object of the resolutions of the gentleman from Mississippi, was the same. If it be proper to give any instructions to the committee, the sooner it is done the better. His object was to elicit the sentiments of the convention, in regard to the unconstitutionality of

protecting and prohibitory duties. He had been especially instructed by his constituents to maintain the unconstitutionality as well as inexpediency of the system. He had not known the object for which they were assembled, and it would be to little purpose if they were not to declare that the system was unconstitutional. The inexpediency of it, was, to his constituents, a minor consideration. "We stand on the principle of the unconstitutionality of the system. Bad as our condition now is, bad as our burdens are, they are nothing to what they may be, if the constitutionality of the system be admitted. We had better never have assembled, if by our silence on this point we leave it to be inferred that the act is constitutional, and we are at the mercy of any congress if we only declare it inexpedient."

Col. *Butler*, of South Carolina, (who spoke with equal animation) said he hoped the resolutions of the gentleman from Mississippi would be referred to the committee, with their report. As far as that report went, he was perfectly satisfied. He feared it did not go far enough. The address and memorial to be drawn up by that committee, would breathe a tone, a spirit, that might satisfy his constituents. But, he observed, there was no allusion made in it to the question of the unconstitutionality of the tariff. My constituents, said Mr. *Butler*, believe that it is unconstitutional, and believing so, it was a question of vital importance to them. I agree with my friend from Georgia, that it is necessary that this question should be decided on by this body. I will go as far in the spirit of conciliation as any one. I am delighted with the spirit which I see pervades this assembly. I see a disposition to oppose the system of which we complain, and a spirit becoming the occasion. But I cannot go so far as to compromise principles, and to disregard the instructions of those who sent me here. I do not insist on the precise proposition in which it may be said the constitution has been violated. It was enough that the constitution of a people had been violated—whether in spirit or letter was immaterial. I come instructed by constituents who know their rights, and will not consent to any compromise of principle, that will put me in jeopardy, and to yield the constitutionality of the measure might have that effect; and to forbear expressing our opinion on this point, might be construed into acquiescence, although not so intended. This question must be met, and if I refuse to meet it, I will go home to be consumed by the indignation of freemen who have sent me here to assert and maintain their rights.

Mr. *Veshake* agreed to withdraw his motion to lay the resolutions offered by Mr. *Pointexter* on the table, to make way for the motion to refer them to the committee, on the distinct understanding that such reference of them in no way implied any instruction on the subject to the committee by the convention. He said he had no intention of expressing an opinion of the constitutionality or unconstitutionality of the restrictive system; but wished simply to stave off the discussion for the present. The committee, he had no doubt, would be able to meet the wishes, if not of all, of the great majority of the members of the convention. The discussion could be entered upon when the memorial and address were before the convention.

Chancellor *Harper*, of S. C., moved to commit all the resolutions to the general committee for consideration.

Mr. *Cheves* said that if the resolutions were to be regarded in the light of instructions, he would give the preference to that of the gentleman from Georgia, (Mr. *Jones*). The resolutions of the gentleman from Mississippi involved too much—they involved the whole principles of government, some of which it was unnecessary now to discuss. If the resolutions were simply committed to the general committee for consideration, we should be just where we are now: for the resolutions involved no opinions not familiar to all the members of the committee. Two courses presented themselves to the convention. The one was to make an express declaration of principles in distinct resolutions, and be governed thereby in the preparation of memorials and remonstrances. The other was to embody the sense, intelligence, and local information of the members in distinct committees. As the object was to consume the least time, the latter course had been adopted by the

convention. It was obvious that there was but one question which could agitate this body, and that was the question of the constitutionality of the restrictive system. This question cannot be evaded. Meet it in some shape, we must. It must be brought forward, if by no other person, by myself (unless I am forcibly silenced) though I should prefer its being brought forward by another. It struck Mr. C. that the best way to bring it forward would be to suffer the committee to report, as discussion now might retard their proceedings.

Chancellor *Harper*, of South Carolina, was decidedly of opinion that it would be best to defer the discussion till the committee had made their report. The resolution that had been offered might be regarded as mere hints for their consideration.

Mr. *Berrien*, of Georgia, with a view of ascertaining whether the resolutions contained instructions to the committee, or mere suggestions, requested that they might be read again.

The request was complied with, and then Mr. *Berrien* stated that the resolutions did not, in his view, contain any thing absolutely binding on the committee or on the convention. He gave the preference to the resolution of his colleague (Mr. *Jones*), but he would, out of abundant caution, suggest a verbal alteration to his friend in order to meet the wishes of the members generally.

The president stated that the committing of the resolutions would not bind the body. They might decide directly against them, if they saw fit.

The resolutions of Mr. *Jones* of Georgia, Mr. *Clapp* of Maine, and Mr. *Pointexter* of Mississippi, were then committed to the organic committee for consideration.

Mr. *Gallatin* said that as the commitment of these resolutions imposed on the committee the duty of examining the subject matter referred to therein, he had been instructed to say the committee would not be prepared to report before Wednesday at 12 o'clock.

The convention then adjourned to 12 o'clock on Wednesday.

Wednesday, Oct. 5. We must be brief in our notice of this day's proceedings. The president submitted a communication from James Ronaldson, of Philadelphia, stating that a reduction had recently taken place in the price of iron, and suggesting the appointment of a committee to enquire why the prices of iron, sugar, and other commodities were so much lower now than in former years. [It does not appear that any reference was given to this communication.]

Mr. *Mitchell*, of S. C. offered a general resolution which had for its object, to abolish all specific or minimum duties, and institute an ad valorem duty on all imported articles. Referred. [In offering this resolution Mr. M. said "he was not a man of business." The proposition itself shews that he entertained a just opinion of himself.]

The general committee not being ready to report, the convention adjourned till 4 o'clock, when the report of an "address to the people of the United States of America" was received and read. From a sketch of the contents of this address, it seems that the tariff laws are pronounced "unconstitutional." The other points made are those generally urged by the opponents of the "American System." It is said to be an "elegant composition" and to have been "elegantly read" by Mr. *Berrien*. Adjourned.

[Among those who visited the convention this day, were chief justice *Marshall*, judge *Baldwin* and Mr. *Johnston*, a senator of the United States from Louisiana. Not many ladies attended.]

NATIONAL ANTI-MASONIC CONVENTION.

From the Patriot.

Baltimore, Sept. 26, 1831.

At 12 o'clock, M. the delegates to the national anti-masonic convention assembled in the saloon of the Athenaeum, and were called to order by the hon. judge *Hurt*, of New York, when the hon. John Rutherford was called to the chair, and the following officers being nominated were unanimously chosen:—

JOHN C. SPENCER, of New York, President.
 JOHN RUTHERFORD, New Jersey, 1st V. P.
 JONATHAN SLOAN, Ohio, 2d V. P.
 THOMAS ELDER, Penn., 3d V. P.
 JOHN BAILEY, Mass., 4th V. P.
 BENJAMIN F. HALLER, }
 EDWARD D. BARBER, } secretaries.
 S. C. LEAVITT,
 CALAB EMERY,

On taking the chair, Mr. Spencer addressed the convention as follows:—

Gentlemen—I return you my thanks for the distinguished honor you have conferred in calling upon me to preside over your deliberations. While I distrust my ability to discharge the duties of the chair, I have yet learnt in the school of anti-masonry to decline no duty to which I may be called in the promotion of our great and growing cause. But my reliance, gentlemen, will be on your patriotism and urbanity, to render the duties of the station light and easy. I ask your indulgence for any errors that may be committed, assuring you that nothing offensive to any member shall proceed from the chair, or be permitted in the deliberations of the convention.

On motion of Mr. Phelps, of Mass. voted, that the credentials of the delegates be now received and examined; upon so doing it appeared that there were present,

New Hampshire	1	New York	31
Maine	2	New Jersey	4
Massachusetts	13	Pennsylvania	19
Rhode Island	4	Ohio	5
Connecticut	6	Maryland	1
Vermont	5	Delaware	1

On motion of Mr. Walker, of Mass. voted, that a regular roll of the members of this convention be now made, and that the state, county and town, in which they reside, be fully designated.

On motion of Mr. Morris, of N. Y. voted, that a committee of three be appointed to invite the hon. Charles Carroll, of Carrollton, to take a seat in this convention. Messrs. Rutherford, of N. J. Burt, of N. Y. and Elder, of Pa. were appointed said committee.

Voted, on motion of Mr. Phelps, that a committee of one from each state be appointed to report upon the business of this convention, viz:

Phelps, of Mass.	Terry, of Connecticut,
Ward, N. Y.	Barber, Vermont,
Jones, Penn.	Vanderpool, N. Jersey,
Hallett, B. I.	Sloan, Ohio,
Cram, Maine	Gibbons, Delaware,
Emery, N. H.	Shriver, Maryland.

Voted to adjourn to meet again at 4 P. M. Met agreeably to adjournment. Mr. Phelps from the committee reported on the business to be adopted by the convention, which was unanimously accepted.

On motion of judge Hopkins, of New York, voted, that Messrs. Hopkins, of N. York, Jones, of Pa. and Walker, of Mass. be a committee to wait on his hon. chief justice Marshall, now in this city, and request his attendance on the sitting of this body.

Mr. Ward, from the committee, at the call of the convention, submitted a report which was read and laid upon the table.

The president of the convention announced the appointment of the following committees:

On masonic penalties—Hallett, of R. I. Larned, of Maine, Morris, of N. Y. Grimshaw, of Pa. and Warner, of Ohio.

On judicial proceedings in the case of Morgan—J. C. Spencer, of N. Y. Ogilvie, of Pa. Walker, of Mass. Gibbons, of Del. Russell, of N. York.

On the address to the people—Holly, of N. Y. Denny, of Pa. Leavitt of Connecticut.

On publishing the proceedings—Phelps, of Mass. Hopkins, of N. Y. and Foote, of N. Y.

On finance—Irwin, of Pa. Boynton, of Conn. Beekman, of N. Y. Jenkins, of Ohio, Shriver, of Md.

The committee appointed to wait on judge Marshall, reported by their chairman that they had seen that gentleman, and that, in reply to their invitation, his honor politely stated that he should leave the city at 6 o'clock, to-morrow morning, and therefore be unable to attend, although it would afford him great pleasure to do so.

On motion of Mr. St. John, of N. Y. voted to adjourn (till 10 o'clock, to-morrow morning.

List of delegates attending the
 NATIONAL ANTI-MASONIC CONVENTION.
 Maine.

Levi Cram
 Hanes Larned.
 New Hampshire—Calab Emery.
 Vermont.

Joseph H. Brainerd
 Edward D. Barber.

Massachusetts.

John Bailey
 Micah H. Ruggles
 Hiram Manly
 Gardner Burbank
 Samuel B. Barlow
 Ephraim Hilly
 Nahum Hardy.

Rhode Island.

Benjamin F. Hallett
 Walter Paine, jr.

Connecticut.

Henry Halsey
 Henry Terry
 Sheldon C. Leavitt.

New York.

Jonathan Ferris,
 Thomas S. Lockwood
 Samuel M. Hopkins
 David Russell
 Samuel Partridge
 James Geddes
 John C. Spencer
 Evert Van Buren
 John Birdsall
 George H. Boughton
 Samuel St. John
 Samuel A. Foote
 Nicholas Devereaux
 Myron Holley
 Tilly Lynde
 Timothy Childs
 Noble D. Strong
 William G. Verplanck.

New Jersey.

John Alling
 Northrop
 William Vanderpool.

Pennsylvania.

William Grimshaw
 Owen Stover
 James Paule
 Christian Pretz
 John Burrows
 Jacob Cassatt
 Jacob B. Miller
 William W. Irwin
 Robert Falconer
 Samuel Harvey
 Benjamin Riegle
 Charles Waters
 Rugle
 Samuel J. Packer.

Ohio.

Warren Jenkins
 Robert Hanna
 Pike
 Fowler.

Indiana—John Taylor.

Delaware—Joshua V. Gibbons.

Maryland—John S. Shriver.

Tuesday, Sept. 27, 10 o'clock, A. M.

Met pursuant to adjournment.

The proceedings of yesterday were read by the secretary.

Messrs. Oliver, of Mass. Harvey, Heister, Rogle, Burrows, Waters and Stevens, of Pa. Baker, of Ohio, and Strong of N. Y. appeared and took their seats.

A letter directed to the president of the convention from Samuel Stevens, a delegate from N. York, was presented and read to the convention, and on motion of Mr. Seward, of N. Y. was ordered to be entered at large on the journal of the convention.

Mr. Hopkins, of N. Y. announced that chief justice Marshall having been unexpectedly prevented from leaving the city, would soon be in the hall, to attend the deliberations of the convention.

Mr. Rutherford, of N. J. from the committee appointed to wait on the venerable Charles Carroll, of Carrollton, and invite him to be present at the deliberations of the convention, reported,

"That the committee have seen the secretary of Mr. Carroll, and are informed that Mr. Carroll left this city in the month of June last, for his country residence on the manor of Carrollton, sixteen miles from Baltimore, and that he is not expected to return until the month of October next; that he is in good health, but is desirous to avoid the fatigue of journeys to and from the city. The committee, therefore, did not proceed to Carrollton yesterday, more especially as the weather was inclement, and the visit and journey would occupy part of two days.

On motion of Mr. Phelps, of Mass.

Voted, That the time appointed to make nominations of president and vice president of the United States, be postponed till to-morrow at 10 o'clock, A. M.

Mr. Davis, of Vermont, submitted the following resolution:

Resolved, That this convention will adjourn without day on Wednesday next, the 28th inst.

Ordered to lie on the table.

On motion of Mr. Hallett, of R. I.

Resolved, That the resolution of this convention inviting the venerable Charles Carroll, of Carrollton, to be present at the proceedings of this convention, together with the report of the committee appointed on that resolution, be transcribed and certified by the officers of this convention, and communicated to Mr. Carroll.

Mr. Burt, of N. Y. called for the reading of the rules and orders of this convention, which were accordingly read.

Chief justice Marshall, introduced by Mr. Hopkins, of N. Y. appeared in the hall, in pursuance of the invitation given him, and took a seat to attend the deliberations of the convention.

Mr. Hallett, from the committee appointed to report on the construction of masonic penalties, &c. made a report, which was read and laid on the table.

The president from the committee appointed to prepare a brief history of judicial proceedings, &c. made a report, which was read and laid on the table.

Convention adjourned to four o'clock, P. M.

Four o'clock, P. M. Convention met pursuant to adjournment.

Messrs. Pike and Fowler, from Ohio, appeared and took their seats.

The reports of the committees on the construction of masonic penalties, and on the history of judicial proceedings, being under consideration, a debate ensued in which Messrs. Foote, of N. Y. Hallett, of R. I. Ward, of N. Y. Morris, of N. Y. Seward, of N. Y. Walker, of Mass. and Harvey, of Pa. took part.

Mr. Northrop, of N. J. appeared and took his seat.

The reports on the construction of masonic penalties and on the history of judicial proceedings, were ordered to be printed.

On motion of Mr. Jones,

Resolved, That a committee of five be appointed to report on the extent to which the principles of free masonry are political, and opposition to them by an organized political party.

Messrs. Jones, of Pa. Seward, of N. Y. Sloane, of Ohio, Bailey, of Mass. Emery, of N. H. were appointed said committee.

The convention adjourned to nine o'clock to-morrow morning.

Wednesday, Sept. 28.

Met pursuant to adjournment.

Mr. Wm. Vanderpool, of N. J. appeared and took his seat.

Mr. Seward, of N. Y. submitted the following preamble and resolution, which were read and passed.

Whereas, Wm. G. Verplanck, of Ballston, Saratoga county, N. Y. a delegate originally appointed by the state convention of the state of New York, has since the last adjournment, arrived in this city, having been detained by accident on his journey. And

Whereas, The place of said delegate has been supplied as a vacancy.

Resolved, That said Wm. G. Verplanck be admitted to a seat as an honorary member with the privilege of participating in the debates, but not in the votes of this convention.

Mr. Samuel J. Packer, of Pa. was also admitted to a seat in the convention in accordance with the foregoing resolution.

On motion of Mr. Phelps, of Mass.

The resolution relative to the nomination of president, &c. was re-considered and amended, so as to strike out that part requiring the convention to go into committee of the whole for that purpose.

On motion of Mr. Walker, of Mass.

Voted, To proceed to ballot for candidates for the offices of president and vice president of the United States. Messrs. Phelps, of Mass. and Stevens, of Pa. were appointed by the president tellers to receive and count the votes.

The convention then proceeded to ballot for president.

Mr. Hambly, of Pa. being absent, on motion of Mr. Irwin, of Pa. Mr. Packer was admitted to vote in his stead.

Mr. Phelps, one of the tellers, reported as follows:—

Whole number of votes.....	111
Necessary to a choice.....	84
William Wirt, of Maryland.....	108
Richard Rush, of Pennsylvania.....	1
Blank.....	2

The president announced the result, and declared William Wirt, of Md. duly nominated as the anti-masonic candidate for the presidency of the United States. On motion of Mr. Stevens, of Pa.

Resolved unanimously, That William Wirt, of Md. be nominated as the anti-masonic candidate for the office of president of the United States at the ensuing election.

Resolved, That a committee of three members be appointed to communicate the preceding resolution to Mr. Wirt, and to request his acceptance of the above nomination. Messrs. Rutherford, of N. J. Sloane, of Ohio, and Elder, of Pa. were appointed said committee.

The convention then proceeded to ballot for vice president.

Mr. Stevens, one of the tellers, reported as follows:

Whole number of votes given.....	110
Necessary to a choice.....	83
Amos Ellmaker, of Penn.....	108
John C. Spencer, of New York.....	1
Blank.....	1

The president announced the result and declared Amos Ellmaker, of Pa. duly nominated as the anti-masonic candidate for vice president of the United States.

On motion of Mr. Phelps, of Mass.

Resolved unanimously, That Amos Ellmaker, of Pa. be nominated by the convention, as the anti-masonic candidate for vice president of the United States, at the ensuing election.

Resolved, That a committee of three members be appointed to communicate the resolution above to Mr. Ellmaker, and request his acceptance of the above nomination. Messrs. Bailey, of Mass. Lyman, of N. Y. and Shriver, of Maryland, were appointed said committee.

On motion of Mr. Morris, of N. Y.

Resolved unanimously, That a committee of three members be appointed to express, by written communication, to the hon. Richard Rush, of Pa. the profound sense of this convention, of the patriotism, principle and firmness which dictated his eloquent exposition of the evils of free masonry, and their high appreciation of the beneficial results which it cannot fail to produce. Messrs. Morris, of N. Y. Denny, of Pa. and Gibbons, of Delaware, were appointed said committee.

Mr. Rutherford, from the committee appointed to wait on Mr. Wirt, &c. reported that the committee had

performed that duty, and that he would send a written communication to the convention at 3 o'clock, P. M.

On motion of Mr. Hopkins, of N. Y.
Resolved, unanimously, That the thanks of this convention be presented to those citizens of Baltimore at whose expense this convention has been accommodated with the use of the splendid hall of the Athenæum, and that this convention have left peculiar pleasure in receiving such a proof of hospitality from the inhabitants of this elegant and polished city, and that the president of this convention be requested to transmit a copy of this resolution to the mayor of this city.

On motion of Mr. Turner, of R. I.

Resolved, That the president of this convention be requested to present a copy of the printed proceedings of this, and of the anti-masonic convention held at Philadelphia last year, to the president and vice president of the United States, to the ex-presidents of the United States, to the heads of the several departments, to the hon. John Marshall, chief justice, and to each of the justices of the supreme court of the United States, to the governors of the several states of the union, to gen. Lafayette, to the venerable Charles Carroll, of Carrollton, to the mayor of the city of Baltimore, to the trustees of the Athenæum of Baltimore, and to such other distinguished individuals of this country, as he may deem expedient.

On the consideration of this resolution a debate ensued, in which Messrs. Turner, of R. I. Vanderpool, of N. J. Hallett, of R. I. Phelps, of Mass. Denny, of Pa. and Miller, of Pa. took part.

Mr. Bailey from the committee to wait on Mr. Ellmaker reported that the committee had performed the duty assigned them, and that Mr. Ellmaker would shortly make a communication to the convention.

Adjourned to 5 o'clock, P. M.

September 28, 5 o'clock, P. M.

Met pursuant to adjournment.

Mr. Ward, from the committee on resolutions, made a report which was twice read and unanimously adopted. Messrs. Foote, Fuller and Hopkins, of N. Y. Hallett, of R. I. and Stevens, of Pa. severally addressed the convention in support of the resolutions.

Mr. Seward, of N. Y. submitted the following resolutions, which were read and passed unanimously.

Resolved, That the committee of finance be authorized to pay over any surplus funds which may remain in their hands, towards the expenses of the national corresponding committee to be distributed by the publishing committee.

Resolved, That the thanks of this convention be returned to the national corresponding committee for the faithful discharge of their duties during the past year, and that this convention entertain a profound conviction that the results of their labors must be eminently beneficial to the cause of anti-masonry.

The report of the national corresponding committee was called up and ordered to be printed.

Adjourned to 8 o'clock this evening.

[The further proceedings of this convention, to its adjournment *sine die*, were published in the last REGISTER.]

PRESIDENT AND THE NULLIFIERS.

Walterboro, Sept. 17th, 1831.

Mr. Editor: As chairman of the meeting of citizens of Colleton district, at Walterboro, on the 1st ultimo, I forward you for publication the answer of the president of the United States, as the best means of making known his reply to their communication, agreeably to their second resolve. I am, very respectfully, your, obedient servant,
CHARLES WEBB.

(COPY.)

Washington, Sept. 3, 1831.

Sir: I have received your letter of the 22nd ult. enclosing, agreeably to one of the resolutions of the meeting, a copy of the proceedings of the citizens of Colleton district, at Walterboro, on the 1st August, 1831, stating the construction which they say they are compelled to give to my letter of the 14th of June last, to a committee of my fellow-citizens of Charleston; and request-

ing me to inform them whether they have truly interpreted my language.

I am not satisfied that the language referred to is justly liable to misapprehension; and I do not feel myself authorized to enter into any correspondence for the purpose of explaining or discussing, in reference merely to a supposed emergency, the means which the president may be required to employ in the discharge of his constitutional duty of taking care that the laws be faithfully executed.

I am therefore constrained, with all proper respect for my fellow-citizens who composed the meeting, to decline the explanations required by their resolution. I am, with sentiments of respect, your obedient servant,
ANDREW JACKSON.

To Charles Webb, esq. chairman, &c. Walterboro, South Carolina.

SEIZURE BY THE CUSTOM HOUSE.

From the Boston Patriot of Sept. 17.

Some excitement has been aroused in this city during the present week, by the seizure on the part of the collector of customs in this district, of a cable and hawser on board brig Moscow, of this port, owned by Messrs. Benj. Rich & Son, by the latter of which she was made fast to Central wharf, and by the removal of which, by order of the revenue officers, she went adrift, and was picked up and secured by Benj. T. Reed, jr. esq. who claims salvage for so doing.—The Salem Gazette represents that "there was something like a row in Boston" on this occasion, which was not the case, although several hundred people were assembled on the wharf, and appeared indignant at the transaction, and cheered a master truckman who, being forbidden by the owner to trespass on his property, declared that he would have nothing to do with the matter, if there was any injustice about it, and left the cable on the wharf; but we believe no violence was committed or attempted on the part of the spectators.

The facts in the case we understand are these: that the brig Moscow, capt. John Norris, in the course of her last voyage, was so unfortunate as to get on the Bahama banks, where she remained some time, and in heaving her off, the stream cable was cut, and with the anchor, lost. On his arrival in Russia, capt. Norris procured another of 8 inches, 90 fathoms long, and also a new hawser of 5½ inches, to replace an old one entirely worn out, and parted in several places, having been in service five years.—On her arrival, an inspector reported to the collector that she had more cables than she required, and the collector sent to Messrs. Rich & Son to enter the new ones. These gentlemen called on the collector twice, stated the above facts, and asked him to send some competent person to ascertain if there was any thing more on board the brig than was actually necessary for her safety, or to replace what had been lost and worn out; and if he found it otherwise, they would promptly enter the same. Mr. Henshaw did not heed their request, but expressed his determination of seizing the articles, thus placing the vessel in jeopardy, and obliging her owners to defend her lawful and accustomed tackle, and to incur expense therefore.

Notwithstanding these representations, the collector obstinately persisted in his course. A large number of merchants have visited the vessel, and, we understand agree, without a dissenting voice, that the cable and hawser were absolutely necessary for the use and security of the vessel, and a distinguished merchant being asked by one of the owners if he saw any thing on board to warp the vessel to Hancock's wharf, as they were desirous of doing, replied that there was nothing suitable on board.

Previous to the seizure, which was on Wednesday, 14th inst. the owners wrote to the collector that

as misrepresentations had been made respecting the cable and hawser, and that it was his intention to seize them if not entered, they requested of him to appoint either one, two or three competent men, who were judges of what is requisite for vessels' use, to examine the vessel, &c. and if they discovered any thing more than was absolutely necessary for her safety, that they (the owners) would cheerfully enter and pay duties on them. Stating further, that the brig was five years old, and that there was nothing on board except to replace what had been lost or worn out.

By the 45th section of the collection law, a discretionary power is vested in the collectors and naval officers of districts, to ascertain whether or not, in their judgment, a vessel has an excess of sea stores on board, and to charge duties upon such excess as they find. But no power is given to seize an excess of stores, unless it is attempted to smuggle them from the vessel. Neither is any power given to such officers to take from a vessel, except in cases of absolute seizure, a particle of her tackle, apparel, cables, anchors, hawsers or furniture. By the usage and laws of all maritime nations, these articles are held sacredly secure from molestation.

Much credit is due to the owners of the *Moscow*, for their moderation in a case of such an aggravated nature, and it is very probable that if they had forcibly resisted the seizure, such was the feeling among the spectators, that the collector and revenue officers would have been thrown into the dock.

THE WEST INDIA TRADE.

We ask the attention of our readers to the annexed "British views of the colonial trade," as confirming completely the arguments we have so often presented against Mr. McLane's arrangement, and which the letters of X. Y. so much more forcibly urged. It is here admitted, that while the trade was indirect, the navigation was in our hands, and that the object of the British government in concluding the much vaunted treaty with us, "was to force the trade from American hands into those of British ship owners." This we believe, most firmly; and do not doubt moreover, of their success. Another avowed object on the part of the British was to impose such additional duties on the direct trade to the West Indies, (with certain exceptions), as "in effect to be prohibitory;" and thus force our produce into the contiguous British colonies, whence it can be transported into British bottoms both duty free to the West Indies, thus aiming a blow, at the navigation of the nation, and at the prosperity of the state of New York, so far as it is to be affected by a diminution of its revenue from the canal. [N. Y. Am.

Fas est ab hoste doceri.

[From the *New Brunswick Herald*.]

BRITISH VIEWS OF THE COLONIAL TRADE.—The information contained in the following article has been afforded us by an intelligent merchant of this town, who has taken great pains to become thoroughly acquainted with the provisions of the act alluded to; the statements will, we expect, be found generally correct, and well worthy of the attention of our commercial readers.

West India trade.—An act of parliament regulating the colonial trade, having recently come into operation here, our attention and inquiries will naturally direct themselves to the advantages likely to be derived therefrom, by the provinces, but more especially, the effect it will have on the trade of our own port. Under the operation of a new system, and with this view, we offer the following remarks, which possibly may not be altogether uninteresting to some of our commercial readers. For the sake of contrast, it may be well in the first place, to bear

in mind that during the late interdiction of direct intercourse between the British West India possessions and the United States, the former were chiefly supplied with provisions of every kind, through the medium of the neutral islands, whence they were distributed to our colonies in vessels of a small class, and consequently limiting our tonnage and navigation in that quarter, to mere trips of three and four days. It is an acknowledged fact, that only a small proportion of American produce was transhipped through the warehousing ports in those provinces; flour and staves only, receiving a partial benefit thereby, and even this, was generally consumed by the additional freight and other attendant expenses.

Although the new act does not go to the extent which was at first generally anticipated, by suffering all articles of American produce to pass through the provinces into the West Indies *duty free*, and imposing additional duties on the direct carriage from the United States, still its provisions are ample, and places our navigation on a more advantageous footing than before.

An attentive perusal of the act referred to, will evince, that corn, grain (of every description), meal, rye flour, biscuit, rice and live stock, can be imported *direct from the United States into the West India colonies, duty free*, and this is certainly its most extraordinary feature. On the other hand, wheat, flour, beef, hams, bacon, lumber, and staves, are totally exempt from import, in the West Indies, if transhipped through a warehousing port in the provinces—the old rate of duties being continued, when imported direct, with an increase on the two last mentioned articles.

The most important point secured, by this new arrangement, is the carrying trade. British vessels may now proceed from any part of H. M. dominions, direct to the United States, there load a full cargo either for the West Indies direct, or via the provinces, as the nature of the cargo may invite, thus completing the whole voyage, a portion of which only, American vessels would be eligible to perform. This also embraces the privilege of importing denature goods, which could not take place in American vessels, they being confined to the produce of their states alone.

The object of our government has been plainly, and avowedly, to force the trade from American hands into those of British ship owners—to continue and impose such additional duties on their direct carriage to the West Indies, (with the exception above named) as will in effect be prohibitory, and moreover, to obtain a market for their surplus West India produce, which they did not before possess.

As the article of fish is totally excluded from the United States in the British West Indies, it still remains our exclusive monopoly, and coupled with the exports of lumber, shingles, and articles of American produce, which must fall in our market, under the act referred to, we trust we shall continue to enjoy an active West India trade.

—
From the *Boston Courier* of Sept. 12.

Some weeks ago we presumed to ask of the Eastern Argus what number of vessels had cleared from Portland for the British West Indies, since the vaunted recovery of that important and profitable branch of the commerce of that place—the trade to the British West India Islands—had been accomplished by the present administration. Our presumption has been answered only by silence, if such a Hibernianism may be allowed. We respectfully repeat the inquiry, and, moreover, would presume still further to ask, if a single vessel, of any description, has been cleared at the Portland custom house for any British West India port, since the opening of

those ports? If there has been one, or more, how many? If the Argus thinks us too troublesome and should not be in the vein to answer, we hope that gen. Chandler may be permitted to see this paper, and that his well known urbanity and obliging disposition will prompt him to reply.

We perceive in the Portland Advertiser of Friday, the following communication, which the editors say is from unquestionable authority and may be relied on as correct. It has some bearing on the question stated above.

One voyage to the British West India Islands, at last.—Capt. Oliver Perkins, of Biddeford, sailed from the port of Saco in February last, master of the schooner Boston packet, owned by Amos Chase of Saco, Moses Bradbury of Biddeford, and John Hill of Portsmouth, with a cargo of about 80 thousand of boards for the British West India islands. He went to the islands of Barbadoes, St. Vincent's and Dominico, but could not dispose of his cargo without a loss. He was offered no more than \$16 per M. for his boards to be paid in molasses at 20 cents a gallon, which, after deducting port charges, duties, and custom house fees, he supposed would leave him less for his boards than they were worth before he started. The British told him they "didn't want the Americans to bring them any of their lumber, their own vessels could do that business for them now—that his (the American) government were a set of d—d fools to be sure for making such a bargain, but they must stick to it." Captain Perkins finding he could do nothing at the British islands, went to St. Martin's, a French island, sold his boards at \$18 per M. and took a return cargo consisting mostly of molasses, which he bought for 15 cents a gallon. The whole import and export duties he had to pay at St. Martin's and all custom house charges amounted to \$110 only. I had this account from the mouth of capt. Perkins himself, who says no other vessel from the port of Saco has, to his knowledge, been to the British West India islands since the mis-named opening of their ports, that he will never go there again, and consents that I should have this statement published.

BANK OF THE UNITED STATES.

At the general triennial meeting of the stockholders of the bank of the United States, held at their hall, in the city of Philadelphia, on Thursday, the first day of September, 1831, at ten o'clock, A. M.

Stephen Girard, esq. of the city of Philadelphia, was called to preside, and

John Potter, esq. of South Carolina, appointed secretary.

Nicholas Biddle, esq. the president of the bank, on behalf of the board of directors, submitted the following

REPORT:

The board of directors of the bank of the United States, in compliance with the 13th article of the 11th section of the charter of the bank, which declares, that "once in every three years the directors shall lay before the stockholders, at a general meeting, for their information, an exact and particular statement of the debts which shall have remained unpaid after the expiration of the original credit, for a period of treble the term of that credit, and of the surplus of the profits, if any, after deducting losses and dividends," have now the honor to submit to the stockholders the statements therein required.

As, however, these documents present only an imperfect view of the situation of the bank, the board of directors gladly avail themselves of the presence of so many respectable gentlemen interested in its prosperity, to explain minutely the whole state of its affairs. To this they will accordingly proceed.

The capital of the bank consists of 350,000 shares, of which 70,000 are owned by the government of the

United States. The government originally provided for its subscription, by giving to the bank a stock bearing interest at five per cent. This stock has been for some time in a course of redemption, and in July last the whole of it was reimbursed, so that the government has now fully paid for its shares.

In receiving the individual subscriptions for the 280,000 shares by so many commissioners, and at so many distant points, there arose some errors, which caused a deficiency of a few thousand dollars in the capital. After rectifying these errors as far as practicable, it was deemed proper in July last to supply the deficiency, amounting then to \$3,730 37, from the general funds—so that the capital of thirty-five millions of dollars is now entire. This capital is divided among the stockholders as follows:—

DISTRIBUTION, JULY, 1831.

Names.	Shares.
Maine.....	14 498
Vermont.....	2 27
New Hampshire.....	23 501
Massachusetts.....	208 10,812
Rhode Island.....	38 1,245
Connecticut.....	61 1,511
New York.....	439 32,903
New Jersey.....	77 2,665
Pennsylvania.....	937 52,638
Delaware.....	39 1,583
Maryland.....	623 34,505
District of Columbia.....	63 2,814
Virginia.....	276 12,584
North Carolina.....	39 2,476
South Carolina.....	735 40,674
Georgia.....	42 1,981
Ohio.....	15 705
Kentucky.....	22 252
Tennessee.....	4 238
Indiana.....	2 50
Illinois.....	2 220
Louisiana.....	17 119
Arkansas territory.....	1 42
Foreign stockholders.....	466 79,139
United States.....	- 70,000
	4,145 350,000

The progress of this division of the stock, will be perceived in the following sketch:

In 1817 there were	31,349 stockholders.
1818	4,142
1819	3,544
1820	2,720
1821	2,747
1822	2,649
1823	2,597
1824	2,861
1825	2,776
1826	3,347
1827	3,482
1828	3,686
1829	3,853
1830	4,140
1831	4,145

It will here be perceived, that the original subscriptions were divided among a great number of persons, in order to secure the amount of stock desired; but became afterwards concentrated in the names of the real owners. The whole number of stockholders was, in 1820, 2,720. From that period the number has risen to 4,145. The extent of this diffusion will be seen in the following table:—

DOMESTIC.		
Holders of	1 share	128 owning 128 shares.
	2	159 318
	3	111 333
	4	121 484
	5	235 1,175
Holders of between 5 & 10 shares	656	5,685
	10 & 20	688 10,978
	20 & 30	336 8,835
	30 & 40	207 7,494

	40 & 50	224	10,583
	50 & 100	435	32,659
	100 & 200	194	29,075
of above	200	185	93,061
		<u>3,679</u>	<u>200,841</u>
FOREIGN.			
Holders of 1 share	5 owning	5 shares.	
2	0	0	
3	1	3	
4	2	8	
5	6	30	
between 5 and 10 shares	25	209	
10 and 20	37	614	
20 and 30	32	854	
30 and 40	34	1,291	
40 and 50	51	2,415	
50 and 100	104	7,403	
100 and 200	72	10,730	
above	200	97	55,597
		<u>406</u>	<u>79,159</u>
Of these are			
Domestic, Females	832 holding	22,896 shares.	
Foreign,	69	6,117	
	<u>901</u>	<u>29,013</u>	
Domestic trusts, executors, &c.	315 holding	17,081 shares.	
Foreign,	14	3,365	
	<u>329</u>	<u>20,446</u>	
Domestic societies, } corporations, &c.	126 holding	14,509 shares.	
Foreign do.	none	none.	

From these the following results may be gathered: 1st. That out of the 3,679 domestic stockholders, 766 are holders of shares of and under \$500, amounting to \$243,800; that 1,447 are stockholders who own sums of and under \$1,000, amounting to \$812,300; that 2,865 are stockholders of and under \$5,000, amounting to \$4,601,600; being nearly one-fourth of the whole domestic stock.

It further appears that the sum of 54,286 shares, being much more than one-fourth of the whole domestic stock, is owned by females, trustees and executors, and by religious, benevolent, and other associations.

The capital thus owned is divided for the purposes of business between the bank and the following twenty-five offices:

Portland,	Fayetteville,
Portsmouth,	Charleston,
Boston,	Savannah,
Providence,	Mobile,
Hartford,	Natchez,
Burlington,	New Orleans,
New York,	St. Louis,
Utica,	Nashville,
Buffalo,	Louisville,
Baltimore,	Lexington,
Washington,	Cincinnati,
Richmond,	Pittsburg,
Norfolk,	

The number of offices established in 1817 was 18; since then two offices have been discontinued—Middletown, in Connecticut, and Chillicothe, in Ohio, and nine others have been established—Portland, in Maine, Burlington in Vermont, Hartford in Connecticut, Utica and Buffalo in New York, St. Louis in Missouri, Nashville in Tennessee, Natchez in Mississippi, Mobile in Alabama; making an addition of seven offices within the last fourteen years.

These points were selected out of applications from thirty-eight places. There are now under consideration applications for the establishment of branches from more than thirty places in various parts of the United States.

The employment of the capital will be seen in the following statement of the condition of the bank on the 1st of August:

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Funded debt, various	du.	3,497,681 06
Bills discounted on personal security	41,585,298 70	
Funded debt	19,700 00	
Bank stock	779,458 07	
	<u>42,384,456 77</u>	
Domestic bills of exchange	14,409,479 72	
Foreign bills of exchange	56,793,936 49	
Real estate	131,214 60	
Due from Bank U. S. and offices	24,586,664 94	
Due from state banks	2,903,402 51	
	<u>27,490,067 45</u>	
United States	5,267 32	
Deficiencies	143,258 67	
Banking houses	1,160,455 54	
Expenses	68,713 34	
Cash, viz. Notes of the bank		
U. S. and offices	13,412,176 44	
State banks	2,080,442 33	
Specie	11,545,116 51	
	<u>27,037,735 28</u>	
Mortgages	140,956 63	
Navy agent, Norfolk	40,144 17	
	<u>118,993,323 54</u>	
cu.		
Capital stock	35,000,000 00	
Notes issued	35,811,623 96	
Discount, exchange, and interest	476,965 51	
Foreign exchange account	137,719 86	
Baring, Brothers & Co. Hottinguer & Co. and Hope & Co.	168,372 72	
Dividends unclaimed	251,766 03	
Profit and loss	1,750,048 51	
Contingent fund	5,613,173 15	
Less losses chargeable to contingent fund	3,452,976 16	
	<u>2,160,196 99</u>	
Due to Bank U. S. and offices	24,096,888 57	
State banks	2,771,656 00	
	<u>26,868,544 57</u>	
Redemption of public debt	483,147 48	
Deposites on account of the treasurer of U. S.	5,505,924 28	
Less overdrafts and special deposits	28,420 09	
	<u>5,477,504 19</u>	
Of public offices	1,201,597 77	
Individuals	9,115,836 47	
	<u>15,884,938 43</u>	
	<u>118,993,323 54</u>	
The analysis of this account presents the following view of the investments of the bank, and the distribution of its funds.		
The investments of the bank—		
Capital paid in	35,000,000 00	
The circulation	22,399,447 52	
Deposits, public	7,252,249 42	
private	9,115,836 47	
	<u>16,368,085 89</u>	
Due to individuals in Europe	168,372 72	
Unclaimed dividends	251,766 03	
Contingent fund to meet losses	5,613,173 15	
Discount, exchange and interest, (including foreign exchanges)	614,685 07	
Profit and loss	1,750,048 51	
	<u>82,165,578 89</u>	
DISTRIBUTION.		
Funded debt	3,497,681 06	
Loans		
Personal security	41,585,298 70	
Funded debt	19,700 00	
Domestic bills	14,409,479 72	
Foreign do.	131,214 60	
Bank stock	779,458 07	

Mortgages	140,956 63
Debits chargeable to contingent fund	3,452,976 16
Real estate	60,509,083 88
Due from sundry offices and banks	2,491,892 99
Expenses, &c.	621,525 08
Banking houses	259,383 50
Notes of state banks,	1,160,455 54
Specie	2,080,442 33
	11,545,116 51

82,165,578 89

Two only of these items require special observation:—

The contingent fund and the real estate.

1st. *The contingent fund.*—

The total amount of the suspended debt, including cash deficiencies, overdrafts and the debt of the bank of Columbia, is

7,851,281 82

Of this the part estimated as desperate, and therefore considered as lost, is

3,452,976 16

And on the remaining

4,398,305 66

The estimated loss after a rigid examination, is

1,851,034 42

Now, the contingent fund to meet this loss, is

5,613,173 15

The total of the actual and estimated losses, is

5,304,010 58

Leaving an excess of provision, over the estimate, of

309,162 57

That this sum will be fully adequate for the purpose will be apparent from the facts,

1st. That amongst the estimates of loss is \$236,829 77, for the losses of the agency at Cincinnati, which will in all probability be entirely retrieved by the increasing value of the real estate there.

2d. That the arrears of interest on the debts at the four western offices are expressly appropriated to the increase of the fund. And

3d. That something may yet be received from the mass of debts now considered hopeless, and from the arrears of interest on the whole mass of suspended debt, now amounting to \$1,433,761 34.

2d. *The real estate.*—

The total amount of real estate received in payment of debts up to August 30th, 1822, was

\$587,102 58

It has since received in like

manner 2,942,828 23

And sold what had cost

1,038,037 62

1,901,790 61

Making the present amount

2,491,892 99

This amount is the price at which the real estate has been taken, and experience warrants the expectation, that it will be sold for more than its cost.

The general result of the condition of the bank is,

That the whole of the bonus of 1,600,000 dollars paid for the charter, and the premium of 205,880 dollars given for the five per cent. stock, purchased in 1821 from the government is now extinguished.

That the fund to meet losses exceeds by 309,000 dollars, the estimate of those losses.

That there is a surplus fund of profits amounting to 1,750,000 dollars, being five per cent. on the capital.

And that with these provisions against casualty, its profits, after defraying its expenses and making an annual reservation of 120,000 dollars to extinguish the cost of the banking houses, yield a dividend of seven per cent. a year.

But gratifying as the prosperity of the bank may be to the stockholders, it is an object of more general concern as being the result of measures in the success of which the community has a deep and permanent interest. The importance of these will justify a few words of explanation in regard to them.

The bank of the United States was established for the purpose of restoring specie payments, which had

for a long time been suspended throughout a great part of the country,—of furnishing a sound circulating medium, and of giving more uniformity to the exchanges between distant sections of the union. By importing more than seven millions of specie, and by a free issue of notes immediately after its establishment, the bank with great sacrifices succeeded for a time in attaining these objects; but it seems to have been afterwards considered that its powers were exhausted by the effort, and that the continuance of it would be entirely impracticable. The essential difficulty was presumed to lie in the provision of the charter, making the notes universally receivable for debts to the government, which by obliging the bank to provide payment for the same note at various places, would require it to retain a greater amount of specie than it could issue of notes; thus diminishing rather than increasing the sound circulation. The consequence was, the bank issued its own notes sparingly; more especially in the southern and western states, where it often preferred the re-issue of the notes of the state banks; being unwilling to issue freely its notes which it might be compelled to pay at some one of many places remote from the point of issuing them. However imperious the necessity which enforced the system, it was apparent that its continuance would tend to defeat the object of establishing the bank, since by declining the issue of its notes it could not furnish the circulating medium expected from it; and by re-issuing the notes of state banks, it surrendered its most efficient means of control over the currency. Its whole circulation on the 1st of January, 1823, was only 4,589,000 dollars.

Having, in compliance with the directions of the stockholders in 1822, applied without success to congress for a modification of this disabling provision in the charter, it became necessary for the board of directors to re-examine the constitution of the bank, in order to discover whether there was really any organic defect which prevented it from performing the functions to which it was destined, or whether some different combination of its powers might not overcome its difficulties.

The experiment was interesting and hazardous. It was to try how far the institution could succeed in doing that which had never yet succeeded elsewhere, in diffusing over so wide a surface of country a currency of large amount and of uniform value at all places and under all circumstances; and also whether it could bring down to its extreme limit the necessary expense of commercial intercourse between distant sections of country, whose exchangeable productions were of such various and unequal values.

To accomplish these two objects two things seemed necessary.

1st. To make all the local currencies equivalent to specie at the place of their emission. This, by rendering them competent for local purposes, would require a less amount of general currency, and at the same time tend to reduce the exchanges between distant places to the real commercial expense of transferring equal values of coin.

2d. To make the bank itself the great channel of those commercial exchanges.

If the bank is bound to transfer the whole public revenue throughout the union, and to furnish a currency payable in various and distant places, it must obviously provide funds in those places, and these can of course be obtained only by purchasing bills of exchange payable at the points to which the course of trade naturally directs the notes. There these bills, having reached their maturity, await the coming of that portion of the notes which, having performed for a time the functions of a circulating medium, are carried by the demand for duties out of the immediate sphere of their issue. The greater proportion of its funds, therefore, which the bank can

employ in these operations, the more readily can it sustain the notes issued in the course of them. It is indeed thus, and thus alone, that a circle of sound banking operations, founded on sound commercial operations, contains within itself the means of its own defence at home, and of providing for its notes which the demand for duties may carry to a distance. These operations, too, are fortunately of the highest benefit to the community; they give the most direct encouragement to industry, by facilitating the purchase and interchange of all its products, they bring the producers and consumers into more immediate contact, by diminishing the obstacles which separate them, and they specially adapt the bank to the wants and interests of each section of the union, by making it alternately a large purchaser among the sellers of bills, and a large seller among the purchasers.

A participation also in the foreign exchanges forms an essential part of the system, not merely as auxiliary to the transfer of funds by which the circulating medium is accompanied and protected, but as the best defence of that currency from external influences. It is the peculiarity of our monied system, that in many parts of the country the precious metals are excluded from the minor channels of circulation by a small paper currency, in consequence of which the greater portion of these metals is accumulated in masses at the points of most convenient exportation. Now, with a widely diffused metallic currency, the occasional demands for exportation are more gradually felt, the portion exported bearing a small relation to the whole, occasions less inconvenience, and the excesses of exportation can be more readily corrected without injury. But when the great mass of the precious metals of the community lie thus accessible in the banks of the Atlantic cities, liable to be immediately demanded on notes previously issued in the confidence of a continuance of the same state of things which caused the abundant issue of them; at the first turn in the tide of the foreign exchanges—when the supply of foreign exchange is unequal to the daily demand, the vaults of the banks may be exhausted before any precautions can prevent it. These very precautions, too, consisting as they do almost exclusively of curtailments in their loans, made suddenly—mostly without concert, and always under the influence of anxiety, if not alarm, may fall with oppressive weight on the community, by the pressure on which alone can be produced the necessary re-action. This re-action, moreover, is necessarily slow, since our distance from Europe makes it less easy to restore the equilibrium than between adjoining countries in the same hemisphere. As this defect in our monied system depends on the legislature, the bank has no power to remove it, and can only strive to guard against its dangers. Its tendency is to produce abrupt transitions, and violent shocks injurious to private credit, and which might prove subversive of the currency. It belongs then to the conservative power over the circulating medium which devolves on the bank, not to be a passive observer of these movements, but to take an ample share in all that concerns the foreign exchanges. It may thus foresee, and either avert or diminish an approaching danger—it can thus break the force of a sudden shock, and supplying from its own accumulations or its own credits in Europe the more pressing demands, enable the state institutions to provide for their own safety, and thus produce the necessary alteration in the state of the exchanges with the least possible pressure upon the banks or the community.

In addition to the ordinary causes of fluctuation in the metallic currency, there was another of great importance in the character of the trade to China and India, which, requiring annually many millions of the precious metals, very frequently caused abrupt and inconvenient changes in the amount of the

currency and of private credit, by forcing the state banks to sudden curtailments as an act of necessary self defence. To abate the pressure of this demand, the bank offered as a substitute for the shipments of coin, to supply its own bills on Europe, which in the India and China markets were often more valuable than the coin itself. This experiment proved successful, alike to the merchants and to the community, who were thus less incommoded by sudden diminutions of the currency. Owing to the operation of general causes, that trade has within a few years greatly declined; but, should it revive, the bills of the bank will doubtless constitute a considerable portion of the remittances from this country. Even in its present comparatively inactive state, the amount of bills furnished by the bank within the past year for the trade of India, China, and South America, amounts to \$883,500.

By this combination of the soundness of the local currencies, and a thorough identification of the bank with the real business and exchanges of the country, it was hoped to accomplish the purposes for which it was established. With this view, it began by giving to its whole funds an active and business character, for which purpose all the stock of the bank which had been forfeited was sold, and the proceeds applied to the commercial operations of the country. The bank and the branches then issued freely and exclusively their own notes, taking care to protect and provide for them by the discount of bills of exchange; and they received freely the notes of the solvent state banks, with whom periodical and convenient, but certain settlements of accounts were made.

This system has now been in operation for several years. It was at first experimental, and of doubtful issue, and as the consequences were equally important to the bank and the community, its progress has been watched with deep solicitude. Its success therefore has been seen with proportionate satisfaction. Time and experience have now demonstrated that the bank has been able to accomplish all the purposes for which it was created, to rectify the disorders of the currency, to sustain a large and sound circulation, and to reduce the commercial exchanges within the most economical limits, and this by means in themselves highly advantageous to the community, not in any degree injurious to the state institutions, and at the same time profitable to the bank itself. The evidences of this can be best observed by comparing the past and present situation of the currency, the exchanges, the country and the bank.

1. Before the establishment of the bank, the circulating medium of the middle, western, and southern states, consisted exclusively of an inconvertible paper money; every part of that country suffered under the most oppressive of all taxes on industry, a depreciated currency; the commercial exchanges between different states and even different neighborhoods, were burdened with the fluctuations of their respective representatives of money, while the government itself, unable to make its funds, received in one section available for its expenditures in another, was embarrassed in the midst of its nominal excesses of revenue. These disorders are now remedied. The local currencies generally are equivalent to specie within their respective spheres of circulation; and a large mass of general currency is superadded for general circulation. That this effect was produced directly by the operations of the bank, requires no demonstration. The extent of its contribution to the general currency will be seen in the facts—

1st, That since January 1, 1825, it has furnished to the mint to be converted into American coin, but-
 lion to the amount of \$12,046,415 35

2d, That the gross circulation of the bank on the 1st of Jan. 1823, was 4,539,446 90
And on the 1st of August, 1831, 22,399,447 52
making an increase of - 17,810,000 62

From both periods a deduction is to be made of the notes in their passage between the bank and the branches. The total amount known to be in actual circulation on the 1st of August was \$19,377,910.

This circulation is in all respects equal, and in most respects superior, in value, to any metallic currency of the same amount. Indeed, there is not now, and probably never has been, in any other extensive country, a paper currency comparable to this for the union of all the qualities of a good circulating medium—perfect security—easy convertibility into the metals—and general uniformity of value.

The notes of the bank, moreover, not only afford a sound currency themselves, but they sustain and purify the much larger mass of circulating medium into which they are infused. By receiving freely the notes of the state banks within convenient reach of the bank and its branches, and by frequent settlements with them, these institutions are kept in the habitual presence of an accountability, which naturally induces them so to apportion their issues to their means, as to secure the soundness of their currency. Of the manner in which they have executed this extremely delicate part of their duty, which connects them with the state institutions, it is not for the board of directors to speak. But they bear a willing testimony in favor of the uprightness and intelligence which generally characterize the administration of those institutions and the support which they have always yielded to any measures calculated to maintain the soundness of the currency.

On the few occasions where it has become necessary to insist on the performance of their obligations, from which either a want of judgment, or the pressure of urgent necessity, had induced them to depart, the bank has endeavored to perform its own duty with all the forbearance consistent with the thorough execution of it, and those institutions themselves have generally found, in the increased credit arising from fidelity to their engagements, a full compensation for all the temporary inconvenience which that fidelity required. It is indeed confidently believed that the solvent state institutions, recognize in the bank, its true character, as a common friend, not a jealous competitor; and that the good feelings uniformly entertained for them by the bank, are reciprocated. They know that the duties of its position make it only a more prominent agent in preserving the soundness of the currency, on which their own stability and prosperity equally depend; and that if its competition sometimes appears to prevent more abundant profits, they find an indemnity in the general security of property which its operations are designed to protect. Undoubtedly these operations have been so far beneficial to them, that if its own notes are equivalent to specie, it has contributed to make those of the state institutions equally valuable within their respective spheres, and that many of these institutions earn larger profits than the bank itself.

2d. The reduction in the exchanges effected by the bank from the extravagant charges on internal trade to the present moderate limits need not now be particularised. A single fact will be sufficient to illustrate it. Before the bank was organized the differences of exchange in favor of, or against Philadelphia, in its relations with the other commercial cities, was as follows:

With Boston 17 per cent.; with New York, 94 per cent.; with Baltimore, 44 per cent.; with Washington, 7 per cent.; with Charleston, 64 per cent.

At present these exchanges are generally either at par, or at the utmost one half of one per cent.

This has naturally followed the rectification of the currency. As long as the general circulation of the United States consists of specie or its equivalents, the rates of exchange between any two places in it can never much, nor permanently vary from the expenses of their transportation from one place to another; and a reduction to nearly that rate was the inevitable consequence of the resumption of specie payments. The bank has, however, been able to do more than this. The large mass of its operations in exchanges, by giving to it funds in various parts of the Union which the course of its own business, as well as that of the government, requires to be transferred, furnishes it with the means of transferring at the same time the property of individuals at a very reduced expense. Accordingly, funds are transferred to the remotest points of the Union, sometimes at no expense whatever, and always with charges so moderate as to afford facilities of interior communication, probably not equalled by those of any other country.

The following table exhibits the amount of domestic and foreign exchange purchased at the bank, and the several branches, the amount of the drafts furnished by them on each other respectively, and the amount of transfers made on account of the government, during the year ending on the 1st of July last.

Statement exhibiting the exchange operations of the bank of the United States and offices, for the year ending June 30, 1831.

	Bills purchased.	Drafts Drawn.	Transfers effected by the U. S. States from the Bank and Offices.	TOTALS.
Foreign	3,481,963 78	8,099,744 16	610,000	12,064,078 92
Domestic	4,122,394 78	4,110,570 32	200,000	831,021 93
Bank U. States	7,604,358 54	13,810,314 38	15,000	140,144 88
Office Portland	136,745 89	194,275 04	15,000	1,151,828 81
Portsmouth	47,713 39	57,431 90	1,111,293 92	446,040 41
Boston	1,499,531 18	1,077,997 20	1,578,000	3,449,498 57
Providence	956,590 76	743,063 17	85,000	4,226,116 76
Hartford	1,430 44	328,688 97	1,877,591 07	2,074,597 88
N. w. York	3,790,432 16	1,812,347 49	1,801,970 16	5,683,177 66
Baltimore	799,288 06	8,006,200 00	75,000	3,248,004 78
Washington	712,725 41	3,363,301 33	20,000	807,543 86
Richmond	1,814,298 34	343,595 72	150,000	987,327 24
Norfolk	706,017 88	1,308,380 00	100,000	3,318,986 84
Fayetteville	929,482 10	872,817 06	10,000	2,999,402 06
Charleston	1,960,428 48	1,637,658 12	2,215,694 38	2,066,862 43
Savannah	2,609,644 79	779,310 70	2,372,420 43	281,819 04
Mobile	1,598,022 96	2,615,265 13	281,819 04	281,819 04
New Orleans	9,363,196 66	2,835,187 18	13,013,382 84	1,001,970 16
Natchez	474,108 57	363,444 71	20,000	807,543 86
St. Louis	241,334 34	862,693 00	150,000	987,327 24
Nashville	2,603,282 73	1,691,667 19	100,000	3,318,986 84
Louisville	1,924,371 49	1,891,336 08	10,000	2,999,402 06
Lexington	1,495,631 61	1,493,810 44	2,215,694 38	2,066,862 43
Cincinnati	1,212,725 71	1,102,564 67	2,372,420 43	2,81,819 04
Pittsburgh	919,834 33	1,077,028 16	2,066,862 43	2,81,819 04
Buffalo	714,218 17	1,858,302 36	2,81,819 04	2,81,819 04
Utica	118,041 23	133,778 29	281,819 04	281,819 04
Burlington	21,123 25	65,071 19	281,819 04	281,819 04
	44,063,820 11	12,122,161 23	12,466,000 98	68,630,981 33

From this it will appear, that the purchases of bills of exchange, amount to more than forty-four millions, the drafts issued by the bank and the branches on each other exceed forty-two millions, and the transfers on account of the government were upwards of twelve millions. If to these be added the amount of bills not purchased in the first instance by the bank but collected through its agency, the aggregate will represent an actual movement in the business of the union, much exceeding one hundred millions of dollars. This has been conducted at a very moderate expense, and with a facility which has caused so large a displacement of funds, to be almost imperceptible in any of the interests of the community. More experience and a greater mass of operations may enable the bank to reduce still further, even these slight charges; but should it be able only to retain them at their present rates, it will have accomplished all that is necessary or perhaps desirable.

3d. The influence of these measures on the country has been in every stage of them eminently salutary. The substitution of a sound currency for a depreciated and irresponsible circulation, which was hastening to involve in confusion all public and private interests, is of itself an advantage, which can scarcely be over-estimated, conferring as it does, stability on property, and security on all the rewards of industry; while the interior commerce of the whole union is relieved from the oppressions of a multiarious and fluctuating paper money, requiring at each step some new sacrifice which, however disguised, fell ultimately as a charge on the productive industry of the country. The means, moreover, by which these objects have been attained, the restraint on the over issues of other institutions—the extensive operations in domestic and foreign exchange—the bringing of the institution into immediate contact and sympathy with the real business of all parts of the country, are in themselves direct and positive benefits to the community. They form too the natural occupation of a bank of the United States, which, divested of all local influences and interests, finds its appropriate sphere in facilitating the commerce of the states with each other and with foreign nations. Accordingly, it may be assumed with safety, that there has never been in the history of this country, any period when its moneyed concerns were more steady and equal—its interior trade transacted with more economy and convenience, and the necessary fluctuations incident to its foreign commerce less sensibly felt, than during the last eight years. This term is sufficiently long and various to test the efficacy of the system. It embraced a period, when, in addition to its habitual causes of fluctuation the moneyed system was disturbed by the reimbursement of many millions of the public debt, a great portion of which was to be remitted to Europe, and more especially it included the year 1825, one of the most critical in our own history, and probably the most disastrous to the banking system of England.

4th. Having explained the effects of this system on the currency, the exchanges, the state banks, and the community, it remains to show that these purposes have been accomplished without any sacrifice of the interests of the stockholders, but that the bank itself has shared in the benefits it communicates. This will be perceived by contrasting the present state of the institution, with its condition at the triennial meeting of 1822. Its situation at these respective periods was as follows:

<i>State of the bank, August 30, 1822.</i>	
Capital paid in,	31,992,139 63
The circulation	5,456,891 90
Deposits—Public	3,559,792 96
Private	3,216,699 78
	6,776,492 74
Due to sundry offices and banks, and to individuals in Europe,	
Unclaimed dividends	1,964,898 36
Contingent fund to meet losses	129,741 28
Discount, exchange, and interest, since July	388,237 01
Profit and loss	51,897 07
	\$53,504,196 99

DISTRIBUTION.	
Funded debt	13,020,469 27
Loans, viz:—	
Personal security	22,072,405 46
Funded debt	67,928 13
Domestic bills	2,713,760 30
Debt of Smith & B.	1,337,437 23
Foreign bills	24,599 76
Bank stock	5,974,725 80
Mortgages	8,000 00
	32,218,876 68
Due by banks, &c.	1,650,869 73

Real estate	587,102 38
Bonus, premium, &c.	1,180,880 00
Banking houses	834,922 15
Notes of state banks	664,642 56
Specie	3,346,434 22
	\$53,504,196 99

<i>State of the bank, August 1st, 1831.</i>	
Capital paid in	35,000,000 00
The circulation	92,399,447 52
Deposits—Public	7,252,249 42
Private	9 115 836 47
	16,368,085 89
Due to individuals in Europe	168,379 72
Unclaimed dividends	251,766 03
Contingent fund to meet losses	5,613,173 15
Discount, exchange, and interest, (including foreign exchange)	614,685 07
Profit and loss	1,750,048 51
	\$2,165,578 89

DISTRIBUTION.	
Funded debt	5,497,681 06
Loans:	
Personal security	41,585 298 70
Funded debt	19,700 00
Domestic bills	14,409,479 72
Foreign do.	121,214 60
Bank stock	779,458 07
Mortgages	140,956 63
Bills chargeable to contingent fund	3,452,976 16

Real estate	60,509,083 88
Due from sundry offices and banks	2,491,892 99
Expenses, &c.	621,523 08
Banking houses	259,353 50
Notes of state banks	1,160,355 54
Specie	2,080,412 33
	11,545,116 51
	\$2,165,578 89

The analysis of these statements will present the following differences in the situation of the bank at these respective periods:

1st. In regard to the comparative activity of its business:	
In August, 1822, of the whole amount of loans amounting to	\$3,218,876 68
There was suspended	10,426,306 56
Leaving as active	\$21,792,370 12
In August, 1831, of the same class of loans amounting to	\$36,793,986 49
There was suspended	3,633,750 84
Leaving as active	\$53,160,235 65
In August, 1822, of the loans of	\$2,218,876 68
There were on bank stock	5,974,725 80
In August, 1831, out of the loans of	\$56,793,936 49
There were on bank stock	779,458 07
In regard to the exchanges:	
The amount of domestic bills purchased in 1822, was	7,475,640 00
That purchased within the year ending July 1st, 1831, was	40,371,556 25

2d. In regard to its resources and investments, there will be seen,

- 1st. That the bonus and premium on the loan of 1821, amounting then to \$1,180,880 00 has been extinguished.
2. That there is an increase of the contingent fund to repair losses, of \$1,869,374 15 making that fund exceed by \$309,000, the loss it is to cover.
- 3d. An increase of the surplus fund, of \$1,698,102 93
- 4th. An increase of the capital, of 7,860 37
- 5th. An increase of the circulation, of 16,942,555 62
- 6th. An increase of the deposits, of 9,591,493 15
- 7th. An increase of the investments as follows:

Loans	28,290,207 20
Real estate	1,904,790 61
In banking houses	325,533 39
In state bank and other debts	3,052,579 34
In specie	8,198,682 29

And a decrease of the funded debt, of 9,522,788 21

Making the actual increase 32,249,004 62

The 3d and last consideration is the comparative productiveness of the operations of the bank at these periods:

The nett profits of the year ending July, 1822, were 1,469,444 91

The nett profits of the year ending July, 1831, were 2,935,021 19

Making an increase of \$1,465,576 28

This state of things is calculated to justify the expectation, that a continuance of the same prosperity will at length indemnify the stockholders for the privations of profit to which they have been so long subjected. Hitherto their compensation has been comparatively inadequate. Owing to the large expenses incident to the establishment of the bank, and to the great losses growing out of its early misfortunes, the whole amount of dividend, from Jan. 1817, to July 1831, a period of fourteen years and a half, has been only \$72.85, or a small fraction beyond five per cent. a year, on the original subscriptions of one hundred dollars. The dividend during the last three years and a half, has amounted to 7 per cent. a year; and it would require a continuance of the same dividend for eleven years and a half more to make the annual dividend, from the establishment of the bank, equal to 6 per cent. a year.

If, however, the stockholders have been less benefited by their investment than was anticipated, they may derive consolation for their diminished profits, in the general prosperity of the country at large, to which the operations of the bank have contributed.

It is, indeed, the main design of presenting these details, to show the practicability of continuing these advantages without a sacrifice of the personal interests of the stockholders. The experiment, for such it undoubtedly was, of sustaining a large and sound and uniform currency, and of reducing the exchanges of the country to the most economical limits, has been fairly and fully made-upon systematic principles. It has now for many years succeeded, and it may be presumed that the same efforts will continue to produce similar results. But in any event, the board of directors have the satisfaction of knowing that their exertions have thus far rendered the bank not unproductive of benefit to the country; and that if any unforeseen causes should hereafter prevent or diminish the beneficial operations of the institution, it shall not fail from any want of zealous devotion to the great interests which they have been appointed to administer. By order of the board,

N. BIDDLE, president.

On motion of Horace Binney, esq. seconded by Robert Ralston, esq. it was

Resolved, That the communication made by the board of directors to this meeting, be referred to a committee of seven, to report thereon; and that the same committee be authorised to report upon such other matters as they may deem to be interesting to the stockholders.

Whereupon the chairman appointed the following gentlemen, viz:

HORACE BINNEY, MANUEL EYRE,
ROBERT RALSTON, JOSEPH HEMPHILL,
R. L. COLT, JAMES RONALDSON,
PAUL BECK, jr.

On motion of Charles J. Ingersoll, esq.

Resolved, That this meeting now adjourn, till 4 o'clock this afternoon, for the purpose of receiving the report of the committee.

Four o'clock, P. M.

The stockholders met pursuant to adjournment.

Mr. Binney, on behalf of the committee appointed at the meeting held this morning, produced and read the following report, which with the resolutions it recommended, were unanimously adopted.

The committee to whom was referred the communication from the board of directors,

REPORT,

That they have verified by a comparison with the tabular statements of the bank the material facts reported in this interesting paper, and find them to be correct. The reasoning by which the board of directors has deduced from them the connexion between the bank and the present prosperity of our country, and has sustained the principles which have regulated the administration of its concerns for many years, requires no comment. All who read the communication, which, it is presumed, will be given to the public, will discern for themselves not merely the actual prosperity of this institution, greater and more stable than at any former epoch, but the manner in which its great public and private trusts have been performed—its public trust towards the government and the people of the United States, and its immediate private trust towards the stockholders, and those who have confided to it their funds and their credit. The perfect harmony of these interests under the operations of the bank organized as the bank of the United States has been by law, and administered as it now is, is believed to be demonstrated; and it would be mere waste and superfluity in the committee to attempt to add either to the cogency or the variety of the considerations, by which the board of directors has completed the demonstration. The committee will not however deny themselves the satisfaction of submitting to the stockholders a few of the inferences, which the communication, taken in connexion with the past and known history of the United States and the bank, appears to justify.

1st. That the bank at its origin, and at a great cost and sacrifice, effectually promoted the restoration of specie payments; and that its able administration for several years past, has finally established a currency, as universally sound within the United States as can ever be expected, or as is essential to the general welfare: and that this has occurred in a community whose currency for a part of the time has felt the influence of active, though temporary causes of derangement, and is at all times exposed to danger by the number and variety of its banking institutions.

2d. That the bank through the whole course of its operations has effectually assisted the treasury in the collection and distribution of the public revenue; and that of late years it has been signally efficient in preventing the discharge of the public debt from disturbing the operations of commerce, or the course and value of pecuniary investments.

3d. That the bank by its judicious intervention in the business of domestic exchange, has given such facility and regularity to this indispensable instrument of internal trade, that neither the want nor the cost of it any longer exists, to embarrass any operation whatever.

4th. That by its extensive operations in foreign exchange, the bank has for several years held in its hands, and has at times used with striking effect, the power of arresting all sudden and violent fluctuations in this branch of commerce; and promises by the same means greatly to economise the use of the

precious metals in the future trade of the United States with China and India.

5th. That these public services of the bank of the United States, are the peculiar result of an institution organized and administered as this has been; that the organization of any bank or body whatever, essentially different, would fail in the attainment of most or all of the great objects adverted to; and that an efficient administration is alone necessary to develop the powers and public uses of the bank in its existing form.

6th. That while the bank has been administered for several years upon those principles which are demonstrably the best, both for the public and the stockholders, yet that adverse circumstances, at an earlier day, and among them, chiefly, the cost and sacrifice attending the restoration of an unsound currency, by which an immense loss, that would otherwise have fallen upon the treasury and people of the United States, was assumed by the bank, have prevented the stockholders from deriving the usual returns of money invested at the lowest rate of interest—the original subscribers not having realized an interest equal to five per cent. per annum, paid semi-annually, and subsequent purchasers of the stock at an advance, having generally received less.

7th. That the stock of this bank is distributed, in such amounts, to such variety of persons, and for such different purposes and trusts, that all charge or allegation of monopoly by any body of men whatever, is shown to be without foundation; whereas the same circumstances prove the deep and critical interest which widows, orphans, charitable societies, and other trusts, have in the prosperity and continuance of the bank.

8th. That the welfare of this bank is now identified with that of the people of the United States, from those who wield the largest operations of commerce, to him whose interest in the currency does not go beyond the just compensation of his daily labor.

These inferences your committee believe to be sound, and that no partial interest which they may have as stockholders ought to prevent them from using their privilege as citizens in stating them.—Their proof may be made manifest to all who know the history of the bank and the country, by perusing the communication of the board of directors.

There is one other subject within range of the reference to the committee, upon which they deem it their duty to report.

The charter of this bank will expire by its present limitation on the 3d March, 1836, and there will consequently be but one triennial meeting after the present, and that at a point of time too near the expiration of the present charter, to authorise measures in regard to its renewal. It is fit, in the opinion of your committee, that before that meeting power should be given to the board of directors, to prosecute them if they thought proper. This power should be large and definitive, not merely to solicit a renewal, but to abide, if they think right, by the terms which congress may impose. A board of directors who have administered the bank in the manner detailed in their recent communication, are safe depositories of the entire power of the stockholders on the subject of the renewal of the charter.

With these remarks the committee terminate their duty by offering to the adoption of the meeting the following resolutions:

Resolved, That an administration by which the interests of the stockholders and public are successfully blended, is that system which is properly characteristic of the bank of the United States; and that to the present able administration of the bank, the stockholders and the public are indebted for the

full, efficient, and profitable development of such a system.

Resolved, That the thanks of this meeting be presented to the board of directors, for their comprehensive and lucid report upon the operations and present condition of the bank, with an assurance that the stockholders place an unabating confidence in their wisdom and fidelity in the further administration of its concerns.

Resolved, That the confidence of the stockholders continues to be due to the able and faithful president of the institution, and that their thanks be given to him for the enlarged and liberal views which have distinguished his administration of the bank, and for the skill with which he has united in its operations, a regard to the public welfare with a steady support of the rights and interests of the stockholders.

Resolved, That if at any time before the next triennial meeting of the stockholders, it shall be deemed expedient by the president and directors to apply to congress for a renewal of the charter of the bank, they are hereby authorised to make such application in the name and behalf of the stockholders, and to accept such terms of renewal as they may consider just and proper. (Signed)

HORACE BINNEY, MANUEL EYRE,
ROBERT RALSTON, JOSEPH HEMPHILL,
ROSSELL L. COLT, JAMES RONALDSON.
PAUL BECK, jr.

Bank of the United States, Sept. 1st, 1831.

On motion of Isaac Lawrence, esq. of New York, the proceedings of the stockholders, with the reports adopted by them, were ordered to be published.

The meeting then adjourned *sine die*.

CUSTOM HOUSE BONDS.

From the Charleston Courier of September 24.

To gratify the wishes of the public, we applied for and were politely favored with the luminous opinion of Judge Lee, pronounced in the late case of the custom house bonds, and which we present to our readers this morning.

The court was so crowded during the whole period of the trial, that many who felt the deepest interest in the proceedings, were prevented from witnessing them. It may be proper, therefore, that the decision should be accompanied with a brief reference to the course of the argument.

We are indebted to a legal friend for the following report:

The suits were brought on two bonds, each for \$68 92 cents, given to the United States by Messrs. *Holmes, Mazyck and Godden*, for the duties on goods imported by them from Liverpool, in November last. The importation was made for the single purpose of trying the constitutionality of the tariff act of 1828.

On the opening of the court, Mr. *Gilchrist*, the district attorney, moved for judgment, under the 65th section of the revenue act of 1789, as the defendants had failed to bring themselves within the provisions of that section, by alleging that there had been an error in the assessment of the duties, of which the collector had had previous notice. The motion was met by another, submitted by Mr. *J. G. Holmes*, the attorney for defendants that the defendants have leave to plead. The argument was then opened on the state of the case.

Mr. *Gilchrist* contended that the course proposed by him was not only supported by the plain meaning of the act, but by the uniform practice under it, in this court, since 1802. That the authority to call in the revenues of the government, was a branch of the taxing power, and that the practice of every civilized country would justify their collection in the most summary manner. That with regard to direct

taxes, the power was not only exercised in every state, but almost in every city of the union. That even with respect to duties under the duty act of this state, in 1785, the importers were allowed credits on giving their notes for the amount, liable to be collected as they became payable, by summary execution. These propositions were ably sustained by the decisions, not only of the United States courts, but the courts of this state. It was clearly shewn that the credit system adopted by the United States, was more favorable to the importer, than that which obtained in any other country; and the district attorney concluded with a striking view of the inconveniences and embarrassments that might ensue on a departure from the act.

Mr. Holmes, for the defendants, insisted that they had a right to put in any plea that the defence should require. That in any other view, to serve the defendants with a writ, was worse than mockery.—That the very institution of a proceeding by suit, carried with it the incidents of a suit, and that pleading was one of those incidents. That the exception in the act of '99, had reference solely to a motion for continuance, and that any other construction would be an infringement of the right of jury trial.

Mr. McDuffie followed, on the same side, repeating and enforcing the objections urged by Mr. Holmes, and claiming the right of going to the jury, as the only satisfactory mode of deciding the constitutional question.

Mr. Petigru, for the United States, replied to the defendant's counsel, and contended that the provisions of the act were fair and equitable—that it could work no injury. He admitted that the defendants were entitled to file any plea that would present an issue of fact for the jury; but that it was too obvious to admit of doubt, that the design was under the show of pleading to transfer the real point in dispute from the judge to the jury; which could not be permitted. His honor the judge, having decided that the defendants were at liberty to plead, they immediately filed the plea of *non est factum*; on which issue was joined, and the cause submitted to the jury.

The district attorney then proved the execution of the bonds. The defendants then called a witness, and asked him the question, whether the bonds had not been given for duties imposed by the tariff of 1828? This question elicited the main argument on both sides.

The United States counsel objected that the testimony could not be admitted under that plea. The objection was urged by Mr. Petigru, and sustained by the most luminous view of the subject, aided by the decided cases in England and this country. Mr. McDuffie replied at considerable length. His honor ruled that the testimony was not admissible.

The defendant's counsel then varied their motion in form, by asking leave to go into evidence of the want of consideration for the bonds; on the ground of having given notice of such defence before trial; but the court thought that this motion could not be distinguished from that which had been previously decided.

After the conclusion of the argument, the court, in its charge to the jury, briefly stated to them that it was a suit on a bond—that the execution of the bond had been duly proved—and that there was no evidence before the court and jury to invalidate the bond.

The jury found for the United States the amount of both bonds. An appeal has been taken, which will be heard by the circuit court at Columbia, in November next.

On Tuesday, judge Lee, delivered the following opinion:

The question upon which I am now to decide, is a preliminary one, which the defendants deem of much importance to their cause; it arises under the 65th section of the revenue act, and the amendment to the constitution of the United States, art. 7.

By the section above alluded to, it is provided that "where suit shall be instituted on any bond, for the recovery of duties due to the U. States, it shall be the duty of the court where the same may be pending, to grant judgment at the return term upon motion, unless the defendant shall in open court, the United States attorney being present, make oath or affirmation that an error had been committed in the liquidation of the duties demanded upon such bond, specifying the errors alleged to have been committed, and that the same have been notified in writing to the collector of the district, prior to the commencement of the return term aforesaid; whereupon, if the court be satisfied that a continuance, until the next succeeding term is necessary for the attainment of justice, and not otherwise a continuance may be granted until next succeeding term and no longer."

It must be evident to every one who reads this section, that congress intended to provide in the most expeditious and summary manner for the recovery of all bonds given for duties. They do not appear to have foreseen any difficulties in the way of the recovery of such bonds—they seem not to have thought that any bar to that recovery could be set up. The only case which occurred to them as necessary to be provided for, was that of an error which might be committed by their officer, the collector, in the liquidation of the duties. The section already adverted to, declares, "unless the defendant shall in open court, the United States attorney being present, make oath or affirmation that an error has been committed in the liquidation of the duties demanded upon such bond, specifying the errors alleged to have been committed, and that the same have been notified in writing, to the collector of the district, prior to the commencement of the return term aforesaid; whereupon, if the court be satisfied that a continuance, until the next succeeding term, is necessary for the attainment of justice, and not otherwise, a continuance may be granted until next term, and no longer. In such a case a delay of a term is allowed, if the court should deem it necessary for the attainment of justice."

Two questions present themselves to the mind of the court, which have been made, and naturally arise in this case:

1st, Whether under the terms of the 65th section, the defendant is precluded from going into any defence, except that which is indicated in the latter part of the section, which grants a continuance, on his making oath of a miscalculation of the duties.

2d, If so prohibited by the act, whether the same is not a violation of the 7th article of the amendment to the constitution of the United States, which declares that in suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, &c.

It has been contended on the part of the United States, that in all suits brought under this section of the act, the judgment or decision must be by the court, that is to say by the judge, without the intervention of a jury. Its language is, it shall be the court to grant judgment at the return term upon motion. What was the meaning of the legislature in this act, when they use the term court? *Ex ri termini*, "the court" when used in this sentence, and in common judicial parlance, would be considered in most cases to mean the judge. But are we certain that congress meant to confine the jurisdiction over such cases to the district judge alone? Will not a liberal and enlarged construction warrant the opinion that by the term court was meant to be included both

judge and jury? Let us examine the law, and discover if we can, whether congress did or could have intended to preclude the debtor from any defence which he might have, and from a trial of that defence before a jury. In construing this and all other laws, it seems but common justice to the legislature making them, to put such an interpretation upon them, if the language used will reasonably admit of it, as will relieve the legislature from the imputation of having intended to do any act of injustice, by depriving a citizen of a right that he might possess. It ought not to be lightly presumed that the representatives of the people, whose duty it is, in their legislative capacity, to watch over the rights of their constituents and to protect them, would invade those rights. The presumption, in a free representative government like ours, must be the other way. In getting at the intention of the legislature in this case, it is proper to inquire, whether by confining the jurisdiction over duty bonds to the judge, and restricting him to the consideration of but one point, viz: the error in the calculation of the duties, an injustice might not be done to the citizen; and if it should appear that such effect would or might follow, then to ask whether such could have been the intention of congress.

Suppose the case put by the defendants, that the bond upon which they were sued was indeed not their bond, but one in which their names had been forged, or the other case, of payment to the collector after the bond was put in suit, or suppose that the suits were brought against the executor or administrator of a deceased debtor, ought they in such case to be prevented from pleading, by which they would be enabled to state such facts and establish such a defence?

If, then, the construction of this law, as contended for by the counsel of the United States, were to prevail, would not the judge or court be compelled to disallow any plea, and might not such a construction in some cases work an injustice, and if such injustice might be done by such a construction of the law, shall we, without very strong reasons, come to the conclusion that the legislature intended to do such wrong? Certainly not. In the case of the executor or administrator having no assets in his hands, unless he were all owed to plead *plene administravit*, would not injustice be done to him. If the judgment were to go against him without plea, would he not be liable *de bonis propriis*. By the section under which the suit was brought, the court as has already been shown, may grant a continuance until the next term, if the defendant makes oath, &c. It is thence inferred, that the defendant could make no other defence than that which arises from a miscalculation of duties, &c. Is this the inevitable inference from that part of the clause? A more reasonable one seems to be, that no continuance should be granted, except for that reason. This part of the clause relates only to the delay of a term, and if strictly construed, would forbid such a delay, except on the ground there stated—but can it be made to uphold the opinion, that no defence should be allowed at the return term, or after the continuance has expired? Are we compelled by the terms of the law to believe, that the miscalculation of the duties, which is a mere matter of evidence, was intended by the act to be decided by the judge without a jury? It might happen, and it is no very unreasonable supposition that it would happen, that a judge might be totally incompetent to examine and detect an error in the liquidation of the duties—When the law, therefore, requires the court to grant judgment, &c. it may, perhaps, without any great violence to the legal phraseology, mean the jury as well as the judge.

Fortunately for the court, it is not without an authority, which has a very important bearing on this case. Its strong analogy to the present case, will be

readily perceived in the course of the observations which I shall make upon it. The case *ex parte Woon*, reported in 9 WHEATON, presented questions very much like those which have been made here. They arose under the patent act of congress, and were first tried before the district judge for the southern district of New York, and carried up to the supreme court, under a rule to show cause why a mandamus should not issue to the said district court. The circumstances were these—the 10th section of the patent act, of 21st February, 1793, declares, that upon oath or affirmation being made, before the judge of the district court, where the patentee, his executors, &c. reside, that any patent which shall be issued in pursuance of this act, was obtained surreptitiously, or upon false suggestion, and motion made to the said court, within three years after issuing said patent, but not afterwards, it shall and may be lawful for the judge of the said district court, if the matter alleged shall appear to him to be sufficient, to grant a rule that the patentee, or his executor, &c. show cause why process should not issue against him to repeal such patent; and if sufficient cause shall not be shown to the contrary, the rule shall be made absolute. And, thereupon, the judge shall order process to be issued against such patentee or his executors, &c. with costs of suit. And in case no sufficient cause be shewn to the contrary, or if it shall appear that the patent was not the true inventor or discoverer, judgment shall be rendered by such court for the repeal of the said patent. And if the party at whose complaint the process issued shall have judgment given against him, he shall pay all such costs as the defendant shall be put to in defending the suit, to be taxed by the court, and recovered in due course of law. Here it will be perceived, that upon oath or affirmation being made before the judge of the district court, &c. it became lawful for him to grant a rule that the patentee or his executors, &c. should show cause why process should not issue, &c. and if sufficient cause were not shewn, that judgment shall be rendered by such court for the repeal of the said patent. Under this clause of the patent act, a rule did issue to the patentee, requiring him to shew cause, &c. Upon the return of the rule, a motion was made on the part of the patentee to have an issue made up to try the validity of the patent. The court i. e. the district judge, denied the motion upon the ground that the proceedings were summary, &c. and were not to be submitted to a jury. From this decision an appeal was made to the supreme court why a mandamus should not issue, &c. How do these cases resemble each other, and how does the case just commented upon apply to that before the court? The strong features of resemblance are the terms used in both acts—*district judge and court*. In the present case the 65th section of the revenue law, makes it the duty of the court, to grant judgment at the return term. In the case arising under the patent law, the judge of the district court on the return of the rule, if not satisfied with the cause shewn, is authorised to make the rule absolute, and order process to issue against the patentee, with costs, &c.

In the same clause the word *court* is also used. There was the same ambiguity in both acts. The district judge in New York, believing that the remedy provided by the patent act was intended to be summary, refused to have an issue made up. Upon the return of the rule and cause shewn, and after a full hearing before the supreme court, that tribunal ordered a mandamus to issue to the district judge, requiring him to cause an issue to be made up, and the trial to be had before a jury.

I will not say that the cases are altogether parallel, but it must be evident to all who have followed me in the comparison, that the question was in that as in this case, whether a suit involving the rights of the

citizens, should under the ambiguous terms of the law, be subject to the final decision of a judge without a jury. Mr. Justice Story, in delivering the opinion of the court, adverted to the articles of the constitution, which secures to the citizen the trial by jury, in suits at common law, &c. The supreme court do not appear by the report of that case, to have founded their decision on the article amending the constitution—they seem to have relied more upon a liberal construction of the law, and to have been much influenced by the consideration that such construction should be given to it as would be most congenial to our institutions, and most convenient in the administration of justice.

Having considered this case, arising under the patent law of 1793, and shewn by a comparison of it with the case before the court, that there was a very strong similitude, so much so perhaps, as would have justified me in coming to a similar conclusion, I will now proceed to consider the question upon other grounds.

We will now enquire if the law (the revenue law) did not admit of such an interpretation, it would not be in violation of the constitution of the United States, and in direct repugnancy to the 9th section of the judiciary act, passed in 1789, in pursuance of that constitution.

The 7th article of the amendments to the constitution of the United States, to which I have already adverted, is in the following words:—"In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law."

It is worthy of remark in this place, that so jealous were the people of the United States on the subject of the trial by jury, that they were not satisfied with the constitution of the United States as passed by the convention, because there was not found in that instrument a specific provision recognizing the trial by jury, in suits at common law in civil cases. It was deemed by them of sufficient importance to require an amendment of that instrument. What did they mean by the language *suits at common law*? Did they not mean under those comprehensive words, to embrace all suits which did not fall within the jurisdiction of the courts of equity and admiralty? They were used in contradistinction to suits in those courts. Chancellor Kent, in the first book of his commentaries, in treating of the jurisdiction of the federal court in relation to the common law, observes, "The expression trials at common law, used in the section of the judiciary act, was not applicable to prosecution for crimes. It applied to civil suits as contradistinguished from criminal prosecutions, and to *suits at common law*, as contradistinguished from those which came before the court sitting as a court of equity and admiralty." His meaning of the terms (*suits at common law*), has very recently been settled by the highest judicial authorities in the United States, I mean the supreme court in the case of *Parkinson vs. Bedford et al.* reported in 3 Peters, page 446. The court in that case thus express themselves: "The trial by jury is justly dear to the American people. It has always been an object of deep interest and solicitude and every encroachment upon it has been watched with great jealousy. The right to such a trial is, it is believed, incorporated into, and secured in every state constitution in the union, and it is found in the constitution of Louisiana."—"One of the strongest objections originally taken against the constitution of the United States, was the want of an express provision securing the right of trial by jury in civil cases. As soon as the constitution was adopted, this right was secured by the

7th amendment of the constitution proposed by congress, and which received an assent of the people so generally as to establish its importance as a fundamental guarantee of the rights and liberties of the people. This amendment declares that "in suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact once tried by a jury, shall be otherwise re-examinable in any court of the United States than according to the rules of the common law." At this time there were no states in the union, the basis of whose jurisprudence was not essentially that of the common law in its widest meaning; and probably no states were contemplated, in which it would not exist. The phrase "common law" found in this clause, is used in contradistinction to equity, and admiralty and maritime jurisprudence. The constitution had declared in the third article, "That the judicial power shall extend to all cases in law and equity arising under this constitution, the laws of the United States, and treaties made or which shall be made under their authority," &c. and to all cases of admiralty and maritime jurisdiction. It is well known, that in civil causes, in courts of equity and admiralty, juries do not intervene, and that courts of equity use the trial by jury only in extraordinary cases, to inform the conscience of the court. When, therefore, we find that the amendment requires that the right of trial by jury shall be preserved in suits at common law, the natural conclusion is, that this distinction was present to the minds of the framers of the amendment.—By common law, they meant what the constitution denominated in the third article "law;" not merely suits which the common law recognized among its old and settled proceedings, but suits in which legal rights were to be ascertained and determined, in contradistinction to those where equitable rights alone were recognized, and equitable remedies were administered; or where, as in the admiralty, a mixture of public law, and of maritime law and equity was often found in the same suit. Probably there were few, if any states in the union, in which some new legal remedies differing from the old common law forms were not in use; but in which, however, the trial by jury intervened, and the general regulations in other respects were according to the course of the common law, (proceedings in cases of partition, and of foreign and domestic attachment, might be cited as examples variously adopted and modified.) In a just sense, the amendment then may well be construed to embrace all suits which are not of equity and admiralty jurisdiction, whatever may be the peculiar form which they may assume to settle legal rights, and congress seems to have acted with reference to this exposition in the judiciary act of 1789, ch. 20, (which was cotemporaneous with the proposal of this amendment); for in the ninth section it is provided, that the trial of issues in facts in the district courts, in all cases except civil causes of admiralty and maritime jurisdiction, shall be by jury, and in the 12th section it is provided, that "the trial of issues in fact in the circuit courts, shall in all suits, except those of equity and of admiralty and of maritime jurisdiction, be by jury;" and again in the thirteenth section, it is provided that "the trial of issues in fact in the supreme court in all actions at law against citizens of the United States, shall be by jury." "The true signification of the words suits at common law, is thus definitively settled, and embrace all suits which do not fall within the jurisdiction of the courts of equity and admiralty."—"The amendment to the constitution providing for a trial by jury in such cases, was passed in March, 1789, and in September of the same year, the judiciary act under which this court holds its authority was passed by congress, only five months after the

constitution was amended on this point. We will now examine the judiciary act, and see whether it does not recognize the 7th article of the amendments to the constitution. The ninth section of the judiciary act establishes the jurisdiction of this court, and after vesting authority in this court over certain matters relating to the revenue and the admiralty, holds this language, "and shall also have cognizance concurrent as last mentioned, of all suits at common law, where the United States sue, and the matter in dispute amounts, exclusively of costs, to the sum or value of one hundred dollars," and concludes in the following words: "and the trial of issues in fact in the district courts in all causes except civil causes of admiralty and maritime jurisdiction, shall be by jury."—Here we see the requisition of the constitution complied with, and the trials of issues in fact in all causes, expressly enjoined on the district court, in all causes, that is to say in all suits at common law where the United States sue. To show conclusively that such cases as the present were intended to be embraced by the words "suits at common law," where the United States sue, it is only necessary to enquire who are the suitors in this court. It will be found that with the solitary exception of suits against consuls or vice consuls, there are no other suitors in this court in civil cases (not of admiralty jurisdiction) than the United States. What suits, then, were intended by the words "suits at common law, where the United States sue?" The answer must be, all suits brought by the government on duty or other bonds. Can it mean any other suits? It cannot for this plain and obvious reason, that the only suitors in this court, the only plaintiffs, are the United States. It is a kind of exchequer court, in which the debts due to the government are recovered. Neither aliens nor citizens can sue here. This court has no jurisdiction in any other cases. When the 9th sec. therefore, which establishes this court, declares that it shall have cognizance of all suits at common law, where the United States sue, it must intend to embrace cases like the present, or it can mean nothing. If, then, it meant to comprehend these cases, how are they to be tried? Being suits at common law, they must be governed by the amendment to the constitution, which directs such suits to be tried by a jury. This seems to me to be an inevitable conclusion. My mind has been much assisted too, in forming an opinion on this question, by adverting to an act of congress passed on the 3d March, 1797. By this law, it is declared "that where suits shall be instituted against any person or persons indebted to the United States, as aforesaid, it shall be the duty of the court where the same may be pending, to grant judgment at the return term, upon motion, unless the defendant shall, in open court, (the United States attorney being present) make oath or affirmation, that he is equitably entitled to credits which had been, previous to the commencement of the suit, submitted to the consideration of the accounting officers of the treasury, and rejected, specifying each particular claim so rejected, in the affidavit, and that he cannot then come safely to trial. Oath or affirmation to this effect being made, subscribed and filed, if the court be thereupon satisfied, a continuance, until the next succeeding term may be granted, but not otherwise, unless as provided in the preceding section."

It will be seen, by a comparison of this clause with the 65th section of the act of 1789, under which these suits were brought, that the same language is found in both acts—in both, the term court is used. The court in both cases, is required to grant judgment the first term, &c. Indeed, it is evident to me that the legislature, when they passed the act of 1789, had this very act of 1797 before them, for they have used the same phraseology, verbatim. The construe-

tion of the two laws ought therefore to be the same. Laws in *pari materis* ought to be considered together, and where the object of both laws is the same, to wit, the recovery of the public dues, the construction should also be the same. Now, what has been the practice under this act of 1787? Since I have presided in this court, a number of suits have been brought by the United States under this law, against defaulting public officers, such as deputy post masters, pay masters, &c. and I have never known an instance in which the defendants have been prevented from pleading. In every case an issue has been made up and the facts have been submitted to a jury. It may be said that the cases are different, that in the case before the court, the sum due is liquidated and fixed, and in the cases arising under the act of 1787, the debt due is uncertain. Not so. The amount due to the government is certain in both cases, for in the cases of pay masters and post masters, the statement of the department, certified by the proper officer, and authenticated under his seal, is admitted as evidence, and is conclusive. Here we have a case very strongly in point, under a law word for word, like the 65th section under which this suit is brought, the trial by jury has always been allowed.

What are the inconveniences to the government which can arise from such cases going to a jury? Can there be a delay even of a term in the recovery of such bonds, unless the defendant alleges and swears to a miscalculation of the duties? There cannot be. Cannot congress, if they find that the delay incident to such trials, will operate injuriously to the government, remedy the evil by requiring the duties to be paid in cash, before the permit is delivered for the goods imported. They most assuredly can, but will it be necessary to do so? I cannot conceive that it will. The example of this case will probably not be followed. No merchant will venture to stand suit on his bond. What will be the effect to him? Loss of commercial character and credit with the government—who, on all future occasions, would require the payment of the duties in cash. The consequence, therefore, cannot be of a serious nature to the government. I do exceedingly regret the circumstance, that all this excitement, that all these long and learned discussions, are likely to produce so little fruit. No law can be settled in these cases. From any decision which I may make, an appeal can only be had to the circuit court, which will be shortly held at Columbia, by my brother Johnson, and whether he confirms or reverses my decision, the law will be still unsettled. Both his decision and mine will be *visi prius*, and inconclusive. The smallness of the sum in dispute will prevent its being carried up to the supreme court, where alone it could be decided in the last resort. It might reasonably be asked, then, why agitate this question when no possible good can result from it? It is not an accidental case, it is one avowedly made for the purpose of calling in question the constitutionality of the tariff act of 1828. *Cui bono?* when the defendants, who are professional men, consent of the law, know that a final decision on the law could not be had in the case. Let a verdict in the case be one way or the other, it must be evident to all who hear me, that it will be unimportant, inconclusive, settling no point.

From the view which I have taken of the question, both under the law and the constitution, I am bound to say, that the defendants have a right to plead in this case. Let it, however, be clearly understood, that while I admit their right to plead, I decide nothing as to the nature of their pleas, or their effect.

The court on the second day, decided that under the plea of *non est factum*, the defendant could not go into any evidence to impeach the bond—that this

could have been done only by a special plea. We do not know whether the opinion of the court on that point will or will not be published.

The presence of Mr. McDuffie, to argue the constitutionality of the tariff laws, as operating on the payment of the bond above alluded to, has caused a correspondent of the "Charleston Courier" to bring out the following extract from the essays of "One of the people." [Mr. McDuffie against the "radicals" of 1821.]

"Suppose congress should pass a law to 'lay and collect taxes, duties, imposts, and excises,' and that a state legislature should pass another, declaring the object for which it was intended unconstitutional, and therefore prohibiting the officers of the general government, by severe penalties, from collecting the 'taxes, duties, imposts and excises.' Suppose congress should pass a law to 'raise an army for a national war,' and a state legislature pass another, declaring the war 'wicked, unrighteous and unconstitutional,' and therefore prohibiting the officers of the general government, under heavy penalties, from recruiting soldiers within the limits of the state."

"I need not multiply cases; for, if you will duly consider those, you will find enough to satiate your keenest relish for anarchy and disorder." In all the above cases you will say "each party has a right to judge for itself," and of course to enforce its judgment. "You might then behold a revenue officer of the U. States confined in a state dungeon for obeying the revenue laws of congress." You might see a gallant officer of the army, covered with the glorious scars of many a hard fought battle, bearing the scourge of a state constable at a whipping post, for attempting under a law of congress, to recruit soldiers to fight the battles of his country." And all this would unavoidably result in giving the state rulers the right to resist the general government, or in a civil war, to establish its legitimate authority; consequences either of which is incompatible with the very notion of government."

"To suppose that the general government have a constitutional right to exercise certain powers, which must operate upon the people of the states, and yet that the government of each state has the right to fix and determine its own relative powers, and by necessary consequence, to limit the powers of the general government, is to suppose the existence of two contradictory and inconsistent rights."

"In all governments there must be some one supreme power, in other words, every question that can arise as to the constitutional extent of the powers of different classes of functionaries, must be susceptible of a legal and peaceable determination by some tribunal of acknowledged authority, or force must be the inevitable consequence. And where force begins, government ends."

"And it is the more astonishing that you have assumed positions involving such tremendous consequences, when we consider that they are in direct opposition to the 'strict letter' of the constitution, your favorite test of delegated authority or powers. It is therein provided, that 'the constitution, and the laws of the United States which shall be made in pursuance thereof, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding.' And again, 'the judicial powers, (of the United States), shall extend to all cases, in law and in equity, arising under this constitution, the laws of the United States, and treaties made, or which shall be made under their authority.' Nothing can be more plain than that the 'strict letter' of the constitution does make the laws of congress supreme, enjoining obedience upon the state functionaries; and making void the laws of a state, if

contrary thereto. And to give this definition or provision a sanction of a nature peculiarly impressive, 'the members of the several state legislatures, all executive and judicial officers, both of the U. States and of the several states, shall be bound by oath or affirmation, to support the constitution of the United States. It is not less evident that it belongs to the national judiciary, to pronounce upon the constitutionality or unconstitutionality of the laws of the national legislature."

Fellow-citizens—before you, is the language of the author of that celebrated production of our talented and respectable citizen, Mr. Geo. McDuffie, who now appears to oppose the very principles which he formerly so strenuously urged, as "one of the people." But ten years have elapsed, and you behold him, instead of endeavoring to allay the present unhappy excitement that exists in our state, adding fuel to the flame, under the influence of some most mysterious, if not "natural delusion." All that he can say now, cannot shake your confidence in his former efforts to sustain the true principles of our republican institutions, in support of that barrier which is the bulwark of our safety, and the palladium of our liberty, the good old constitution.

DON'T GIVE UP THE SHIP.

The decision of the district court has occasioned some excitement in Charleston. A meeting of the state rights and free trade party was called on the evening of the 22d, the day after the decision, for the purpose of rendering the thanks of the party to Mr. McDuffie. The meeting, though convened in tempestuous weather, is said by the Charleston Mercury to have been the largest assemblage of the party which has yet taken place. Resolutions highly complimentary to the talents and services of Mr. McDuffie, were offered and adopted. Another set of resolutions respecting the decision of the court, offered by Stephen Elliot, and adopted by the meeting, we copy.

"Resolved, That Isaac E. Holmes and Alexander Mazzyk, esquires, are entitled to the thanks of their fellow citizens, for their disinterested and patriotic efforts to bring before a jury in the federal district court, the constitutionality of the tariff act of 1828, an act passed avowedly for the protection of domestic manufactures.

"Resolved, That the refusal of the district judge to admit, under the plea of "non est factum," any evidence except such as related to the mere execution of the bond of Messrs. Holmes and Mazzyk, and his judicial opinion that the unconstitutional character of the tariff act of 1828 can in no way be carried before a jury in the federal court, are deeply to be deplored, since they have deprived his fellow citizens of the long desired opportunity of submitting to a jury of their country the absorbing question of the constitutionality of that oppressive act, under which they have long and so dreadfully suffered.

"Resolved, That from the whole course of the proceedings in the case of Messrs. Holmes and Mazzyk, the state rights and free trade party of Charleston, are constrained to announce to the state rights and free trade party throughout the state, that all hope of redress from the federal court is destroyed—the known opinion of its judges as to the constitutionality of the tariff, and the fraudulent title of the set itself rendering any reference of the question to their decision but an idle mockery."

Mr. McDuffie, in compliance with the desire of the meeting expressed in a resolution, made his appearance, accompanied by the committee sent to wait on him, gov. Hamilton and gen. Hayne. He addressed the meeting with great eloquence and effect, according to the Charleston paper, on the sub-

jects of the tariff, nullification, the custom house bonds, and other subjects of complaint, and the proper mode of obtaining redress.

UNITED STATES DISTRICT COURT, N. Y.

From the N. Y. Commercial Advertiser.

The United States of America
vs.

One package of broadcloth—
Abel Shaw, claimant.

The judge stated to the jury, that the information they were to try, was founded upon the 4th section of the act of May 28, 1830.

The object of this act was more effectually to enforce the law of May 19th, 1828, increasing the duties on cloths, &c. and commonly known as the tariff law: and the precise point in question was whether the present importation had been made in violation of those acts.

This case being the first that has been brought to open trial under these laws, it was proper a deliberate consideration should be bestowed upon it.

The facts laid before the jury by the public prosecutor are, that this package contained thirty-four pieces of cloth. The invoice looked up the whole amount of yards at 74½ and represented the cost at 7s. per yard, less 5 per cent. discounted for ready cash. This would leave the price at 6s. 7d. or 6s. 8d. per yard.

The collector supposing the charges too low, ordered the package to be inspected and appraised.

The appraisers reported the piece lowest in value, to be worth 6s. 9d. and the one highest in value to be worth 8s. 6d. per yard. The other pieces varying from 7s. to 8s. per yard.

At the prices stated upon the invoice, the goods would have fallen within the dollar minimum of duties, and at the appraisement the greater proportion would exceed that minimum. The duties to be paid according to the appraisement exceed those chargeable upon the invoice, above \$650. The difference between the lowest and highest appraisement is 43 cents per yard; between the highest and the invoice price 33 cents per yard, which is 23 per cent. and the difference between the whole amount of the invoice and the whole amount of the appraisement is 15 per cent.

Upon these facts the collector seized the goods as forfeited under the act of 1830.

The provisions of the 4th section of the act are, that the collector shall order certain portions of every importation to be inspected, &c. &c. "And if the same be found not to correspond with the invoice or to be falsely charged in such invoice, the collector shall order forthwith, all the goods contained in the same entry to be inspected; and if such goods be subject to ad valorem duty, the same shall be appraised, and if any package shall be found to contain any article not described in the invoice, or if such package or invoice be made up with intent, by a false valuation or extension or otherwise, to evade or defraud the revenue, the same shall be forfeited, &c. &c.

Upon these facts it is submitted to the jury to determine, whether this package or invoice was made up with intent to evade or defraud the revenue.

It is enough to justify the seizure if there were reasonable grounds of suspicion that an evasion of, or fraud upon, the revenue was intended. Government is not required to produce that full proof which will place the guilt of the party beyond all reasonable doubt. The same rule of evidence does not apply in prosecutions for an infraction of the revenue laws that obtains in criminal trials.

In prosecutions of this character the United States need only make out a *prima facie* case or probable cause for condemnation. It is then cast upon the claimant to establish the integrity of the transaction, and if he fails to explain away the difficulties of the case, a condemnation must follow because of the defect of testimony on his part.

This rule of evidence is established by express acts of congress, and enforced by decisions of the supreme court.

It is not necessary that there should be direct proof of a fraudulent intent. When the facts in evidence raise a

presumption, or afford grounds of reasonable inference, that such intent existed, the point will be deemed sufficiently established, until the evidence on the part of the claimant clearly counteracts the effect of that proof. The law imposes on a claimant the necessity of proving the innocence of the suspected transaction, because he is presumed to have papers, or other evidence in his possession or under his control, which would explain its true character, whilst the United States have no means of ascertaining where such proofs may be found, or to enforce their production.

Without the aid of a rule of evidence which exerts from those coming forward to reclaim goods, seized for being brought into the country under circumstances of suspicion, proof that no violation of law was intended, no system of imposts could be enforced. If every deviation from the law by importers, was to be presumed unintentional and innocent, until the contrary was proved beyond all reasonable doubt, it is manifest that the government could rarely, if ever, convict any one of a violation of the laws; and both the fair importer and the home interests intended to be protected, would be subjected to unceasing wrongs and losses. Nothing but downright smuggling, or cases of the most gross character could be punished or restrained.

Neither need the prosecution prove that the claimant himself participated in the offence, or had any knowledge that it was contemplated. It is enough to show the act done by any one having the legal possession or control of the goods.

The penalty is attached to the false preparation of the package or invoice without regard to the party by whose illegal intent it may be made up.

The offence pointed out by the statute and the one which the information charges to have been committed in respect to this package, is the making up the package or invoice with intent to evade or defraud the revenue. The punishment is, forfeiture of the goods. The policy and object of the law is to prevent this specific mode of attempting a fraud and when the attempt is detected the forfeiture cannot be avoided by shewing that the real owner was innocent or ignorant of the improper design, unless it also appears that the attempt was made by mere strangers over whom the owner had no control.

The ignorance of the owner might be a strong circumstance in an application to the proper authority for the remission of the forfeiture, but cannot avail to exonerate the property from the operation of the law.

Had the master of the vessel attempted to smuggle in this package without the knowledge of the owner, the property would have been forfeited, notwithstanding the owner was personally in no fault: and so also will he have to bear the consequences of the illegal conduct of his agent or vender, although he may be free from all blame in respect to it.

Should the testimony on the part of the prosecution have failed to make out reasonable grounds of suspicion or doubt as to the integrity of this transaction, then the jury will acquit the property without going into an examination of the case made by the claimant; but if they believe probable cause has been shewn for this seizure, it then becomes necessary to consider the matters of defence brought forward by the claimant.

The forfeiture is understood to be resisted,—1. Because the law attempted to be enforced, is unconstitutional. 2. Because the appraisers did not conform to the provisions of the act, having made the appraisement according to the value of the goods at Marsden, the place of purchase, and not at Liverpool, the place of shipment; and if these points of law are not decided in his favor, then he insists upon the various matters of fact in proof, on his part, as countervailing the evidence given by the prosecution.

Any party whose interests are affected by a statute has the right, in a proper mode, to call the constitutionality of the law in question.

This right may be exercised by aliens equally with citizens, and it is the duty of a court, when the objection is brought before it, to consider and dispose of it.

Although the counsel for the claimant took the objection formally, yet he declined arguing it, further than by alluding to the state of public sentiment in relation to this law, known to prevail in another section of the coun-

try. The court therefore, is compelled to decide the point upon general impressions, without the aid, it would have reason to expect in so grave a matter, from a well matured discussion on the part of counsel.

In the estimation of the court, there is very little in the circumstance that excitations exist with respect to this law, and that it is denounced as unconstitutional by individuals and public bodies, conducing to demonstrate it to be unconstitutional. Movements of that character, should, indeed, have no influence over the judgments of a court and jury.

It is to be apprehended that the propensity, greatly on the increase, to stigmatize every unpopular or impolitic act of government as a violation of the constitution, may tend to produce an indifference or heedlessness in public sentiment in respect to that objection, even when there is the most urgent occasion for resort to it.

At all events, if the courts should shrink from enforcing a law because respectable individuals, intelligent magistrates and state legislatures have pronounced it unconstitutional, how many cardinal powers of government would have been paralyzed? How many vital acts of legislation would have remained dead letters upon the statute book in the short period of our political history? Among others which might be named, the acts establishing a bank—excise and internal duty acts—non-intercourse and embargo acts, and even acts calling the militia into service in times of actual war and invasion, would have stood in this predicament, none of which are now doubted to be within the authority of congress to pass.

Before, then, the court and jury can disregard a solemn act of legislation, they must be furnished with higher reasons for so doing, than declarations and resolutions against their constitutionality, emanating even from the most worthy and intelligent of our citizens or states.

In stating its conclusion upon this subject, the court will not attempt any answer to the arguments usually advanced against this particular law: if they are not all resolvable into arraignments of its expediency only, they are too theoretical and speculative to be useful guides in solving the proposition now submitted. A few words will explain the view the court takes of the subject.

The act lays an impost duty on woollen cloths brought into this country from any foreign one.

The constitution in terms authorizes congress to lay and collect imposts, with but one qualification, that they shall be uniform. No one will question that congress may, by virtue of this clause, impose duties to some extent on imports of every description; nor but that those imposts, when collected, become a portion of public money, to be expended in any way congress is empowered to disburse the national funds.

Certainly it is not the prerogative of the judiciary to deny congress the use of a power explicitly given by the constitution, because it may be improvidently exercised; nor to declare a law void, passed under a clear power, because the object of the power may not be observed or justly effectuated; nor can it appertain to the judiciary to stay the operation of a law passed under such power, although proved to have an unequal or injurious bearing upon the community, or because it might be founded in motives of advantage to one interest or class of citizens, and prejudice to another; or because there is no notorious and urgent occasion for the revenue it proposes to raise.

Upon what principle of constitutional interpretation can the judiciary execute a law levying one rate of duty and pronounce it void, when it imposes a higher? How is 45 per cent. duty on cloths, less an *impost* than 5 per cent.

What sound and plain rule of exposition will enable the court to mark the line of discrimination between duties that are legitimate and those that are illegal—the power to impose some degree of duty being incontestable? It would seem exceedingly manifest, both from the nature of this power and the manner in which it is conferred, that the occasions on which it should be exercised, equally with the degree or extent of its exercise, were left to the discretion of the legislature.

In such case there is no check provided upon the improvident use of the power, and none could be brought in—compatibly with the spirit of our institutions, other

than the responsibility of all public functionaries to their constituents.

Public opinion, enforcing itself by means of changes of the legislative bodies, supplies the only legitimate check to, and remedy for, improvident and impolitic legislation of this character.

If the people think the tariff system oppressive or impolitic, it will be easily rectified in that manner.

The court is accordingly prepared to decide, without bringing into view another power granted to congress, (more comprehensive than this, and bearing upon the subject—the power to regulate commerce, &c.) that this act is within the constitutional authority of congress, and that it must be executed conformably to its terms.

2d. The second point of law will be disposed of in a few words.

It supposes the *place of exportation* must be the one which governs the appraisers in fixing the value of goods, and that the place of exportation necessarily is limited to the port of shipment. By reference to the acts of congress on this subject, it will, however, be found that the place of exportation is sometimes intended to embrace the country from which the export is made, as in the case of goods carried from the country in which they are produced to another for shipment; and there is certainly nothing in this section of the act of 1830, which restricts the appraisers to the port of shipment as the market which is to govern their appraisement.

So also the act of 1823 has direct reference to the place where the goods were purchased or procured, as that which shall supply the criterion of value; and the 4th section of the act of 1830 is to be construed in connexion with the act of 1823, with which the subject matter stands immediately connected.

Nor is it believed that in the ordinary acceptance of the term in mercantile language, the place of exportation means merely that of shipment. A cargo purchased and packed at Sheffield or Manchester, though shipped at Bristol, would with strict propriety of expression, be said to be exported from the place of purchase.

If the goods are picked up in general market in London or Liverpool, and there shipped, the port would in the full sense be the place of exportation; nor does the court mean to decide that if no general market value of the commodities in question can be ascertained at the place of manufacture or purchase, the appraisers may not adopt that of the port of shipment as the one upon which to found their appraisement.

This objection is accordingly overruled. Upon the facts in proof on this part, it is insisted for the claimant (1.) that he is innocent of all fraud or improper design in this importation. (2.) That the appraisement is not entitled to credit as fixing the value of the goods: much less does it afford any reasonable ground to infer a fraudulent intention in the exportation. (3.) That the vendor or agent abroad could have no possible interest in defrauding or evading the revenue, and that therefore the circumstance of excess in value would not justify imputing such intent to him.

The observations of the court before submitted have indicated the rule of evidence with respect to the first proposition—that it is unimportant as to the result of this prosecution, whether the claimant be personally innocent or guilty of the supposed fraud.

If a fraud was intended, and he participated in it, less regret would undoubtedly be felt at confiscating his property—yet the law equally subjects the goods to forfeiture, whether the illegal act was done by the owner or any other person having the possession and control of them under his authority. The penalty being affixed to the goods, it is not discharged by showing that one will have to bear the consequences who was not concerned in the perpetration of the offence.

2. To satisfy the jury that no confidence can be placed in this appraisement, evidence has been gone into to show that persons of equal skill in valuing cloths, and of equal opportunities for knowing their worth in market, will differ in their estimates nearly as much as this appraisement differs from the invoice. If this is so at home, where the variations of the market can be readily ascertained, it is inferred that there will be still more uncertainty in fixing a value here, that shall correspond with the true one abroad. This testimony, however,

must be compared with the evidence on the other side, very much circumscribing the degree of difference these circumstances would create. There is also evidence that manufacturers are in the habit of charging packages of goods which cost alike to them at a common price to the purchaser, although it is impossible but that there should be very considerable differences in the value of the respective pieces. The expense of materials and labor for the production of a lot of goods may be the same upon the yard, with respect to each piece, whilst superior workmanship, or circumstances merely accidental may create a difference of several per cent. on the yard, in the market value of the cloths.

There may be a difference likewise, arising from the fancy or caprice of buyers, which will enhance one piece many per cent. above others of the same quality.

These are particulars, very difficult if not impossible to estimate with any correctness in an appraisal of cloths, and it is therefore urged, that such valuation ought always to be received with great caution, particularly as it is to furnish the material fact upon which a forfeiture is demanded.

And, moreover, it may occur to the jury, that the appraisal could be resorted to, as an invariable criterion of the worth of goods, yet that the necessities of the vender, the superior address of the buyer, and the chance fluctuations in market, each contribute to create wide differences between the cost of a lot of goods and the current value, so that it may be a common occurrence for purchasers to obtain goods *bona fide*, for less than they would be valued at on appraisal.

It is besides contended, that the difference has been greatly exaggerated, as in truth the average is only 62-3 per cent above the invoice, instead of 15 per cent. as stated by the witnesses for the prosecution.

The latter estimate, however, takes the dollar minimum for the base, and not the actual value of the cloth. So that the 62-3 per cent. average is so much above 1 dol. per square yard. The testimony does not state what that per cent. would be upon the running yards, nor does it undertake to point out any error in the valuation of the cloths, and the differences calculated upon that.

There would be great force in the facts and arguments produced by the claimant, if it would be enough for him to make out that the case on the part of the prosecution was doubtful. But this is not so. The law required of him to countervail the appraisal by higher proofs. The appraisal fixed the value of the goods as to him until that was done. For that purpose it afforded him the privilege of a re-appraisal, and by merchants, one of whom he might select himself; or he might have done what would have been more direct and satisfactory, proved the actual cost of the goods.

Having failed to use the means in his power, and to produce that evidence which would leave no doubt of the fairness of this transaction, every presumption instead of operating in his favor, must be turned most strongly against him. The goods must be taken to be worth and to have cost the sum at which they are valued by the appraisers.

By this rule of evidence, the merchant will not be deprived of any advantage he might derive from his capital or superior skill in business, in making his purchases, or even his speculations. He need only pay duties upon the actual cost of his goods, if he will prove what the cost was. His invoice will not be accepted as such proof, when it is palpably below the price at which the commodities are usually obtained in market. Although the law may thus occasionally throw delays and impediments in the way of the business of the correct and upright dealer, yet probably there is no other method by which the public can be secured against other contrivances and fraudulent practices of those who mean to evade the payment of the duties they know their goods are subject to.

3. The third point is, that the vender had no interest in the goods, and no motive for committing the fraud.

The only observation occurring to the court as necessary to be made upon this branch of the defence is, that to exonerate the goods upon this ground, the evidence must be satisfactory—that the vender or agent abroad had no possible interest in giving a false valuation to them.

It is by no means enough to shew that the prosecution has not proved him to have an interest. If the case raises just doubts or suspicions with respect to his interest and intent, the law calls for evidence at his hands, disproving that he could derive any benefit from the matter.

There is no proof shewing the relationship in which these parties stand to each other; nor but that there may be a full community of interest either in the goods or the profits to be derived from them.

The whole subject in respect to the facts and inferences is referred to the judgment of the jury. It belongs to them to examine all the evidence; to consider every fair and legitimate conclusion derivable from the state of the proofs; to give its just weight to the circumstances connected with the transaction; and from the whole, to decide whether or not this package or invoice, was made up with intent to evade or defraud the revenue.

In the one case the verdict will be for the claimant; in the other for the United States, and a condemnation of the goods must be the consequence.

The jury found a verdict for the United States, and judgment of forfeiture was pronounced against the goods.

REVENUE LAW CASE.

[Reported for the *N. Y. Evening Journal*.]

District court of the United States for the southern district of New York.—September term, 1851.

United States } This action came on for trial before
vs. } Judge Bitts, 14th of September.

Isaac K. Smith. } This was an action of debt, founded on part of section fifty-four, of the act of congress, second of March, '99, whereby "the master, or other person having the charge, or command of any vessel, shall, during the night time, open, break or remove, any locks, or other fastening, affixed by an inspector of the customs to any part of the vessel, having communication with the hold, shall forfeit, and pay five hundred dollars." It was in evidence, that the defendant arrived in this port, as master of a small vessel, from the Bahamas, laden with pine apples, and hauled in at Burling slip—an inspector of the customs was put on board, who one afternoon, told captain Smith he should put a fastening on the cabin door. Smith remonstrated, said he had no right so to do, and said if he had no other place to sleep, he should enter the cabin. The inspector put on what he called a fastening, which was a small piece of red tape—during the night the fastening was broken. A sailor before the mast, swore he broke it accidentally—Mr. Lewis, the owner, or part owner of the vessel, swore that the same afternoon Smith gave up the command of the vessel, and he consented to it. The inspector said the next day after, Smith was on board and appeared to act as master; and it was conceded, that Smith did a few days after, sail as master of said vessel, up the North river. There was introduced considerable contradictory testimony, as to the fact, whether there was any communication with the cabin and hold. And the district attorney swore, that two or three days after, he had received instructions to prosecute Smith, Smith called at his office, but did not deny or confess that he had broken the fastenings, but denied that any thing was done contrary to law.

The judge charged the jury—if they believed that there was a communication with the cabin and hold, and that Smith was master of the vessel at the time the fastening was broken, notwithstanding the sailor might have broken it, as he states, yet they must find for the United States, and that fastening made in the manner as stated by the inspector, was a sufficient fastening in law. Verdict for defendant.

J. Hamilton, for United States—W. Q. Morton, for defendant.

CHEROKEE GOLD MINES.

From the *Georgia Journal*.

☞ We deeply regret the collision that has occurred between the executive and judicial departments of the government. The superior court of the western circuit, in the discharge of what is believed to be its duty, has made a decision in relation to the Indian right to dig for gold, affirming that right, as we understand. We have not seen the report of the decision, but the

grounds of it, we presume, are correctly, though briefly, set forth in the following article from the *Athenian*:

"As a considerable interest has been excited by the case of *Canato*, a Cherokee Indian, confined in Walton jail under the charge of digging gold in his own nation, which by the last legislature was made a penitentiary offence, we lay before our readers the following information derived from a source which may be relied on.

The Indian was taken by the state guard, and carried to Gwinnett, the county having jurisdiction of the case, and upon examination he was committed to Walton jail, there being no jail in Gwinnett. During the session of the superior court of Walton county, he was brought up by *habeas corpus*, and his discharge was moved for upon three grounds. 1st. That the warrant and commitment were defective. 2nd. That the act of the last legislature itself, did not contemplate punishing the Indians for digging gold on their own lands, but was intended for intruders and other persons; and, 3rd, that if it did, it was unconstitutional on the ground that it violated numerous treaties made with them, expressly guarantying the undisturbed possession and occupancy of all their lands not ceded to the whites. After much argument, the court [judge CLAYTON], said it was a very important question, and required the utmost deliberation. Respect for the legislature demanded it. As, however, it did not believe the person could be discharged upon the two first grounds, it would in candor say, his best prospect was on the last; and, as the court would take time to consider so grave a question, it would release him from his confinement upon his own recognizance, to appear and answer to the charge at Gwinnett superior court, when and where its opinion would be delivered, it in the mean time its mind could be fully satisfied on the point. The court stated that it would endeavor to have its opinion ready by Jackson court, which is just past; but such has been the nature of its other pressing engagements, as well as the great magnitude of the question, that it has not been done, and will not be done, until every source of information, both legal and political, is consulted, which can possibly shed light upon a subject involving so seriously, the liberty of an unfortunate people, as well as the character of the state.

Since the question of the Indians digging gold has been agitated, many persons have expressed an opinion that if they are allowed to do it, they can employ any person they please to do the same thing. Such an opinion is very erroneous; for we have it from judge Clayton himself, that, even if he were to decide that the Indians had the right, the law would be binding against every other person, and the doctrine that, "what a man does by another, he does by himself," will not apply to criminal cases. It is only applicable to civil contracts, and every man stands upon his own responsibility, in committing acts that are made criminal by law."

So far the court goes.

Now the governor, differing from the court, we understand, believes the act prohibiting the Indians and all others from digging for gold, to be *constitutional*, and will therefore, in the discharge of what he believes to be his duty, carry it strictly into execution.

Executive department, Milledgeville, Sept. 20, 1831.

Sir—I have just learned that the judge of the western circuit has decided that the law for the protection of the mines in the territory occupied by the Cherokees is void, and has discharged an Indian from confinement who had been arrested by the guard for its violation. As the effect of this decision will be to create the opinion among the Indians, that they are now licensed to plunder the state of this valuable property, I have thought it proper to give you express instructions to defend it, that you may be justified in pursuing that course.

I have no doubt but that the legislature has the authority to take possession of the mines, and the constitutional right to pass laws to protect them from trespass. By the law which has been passed, the governor is directed to take possession of the mines, and to cause all persons to be arrested who may attempt to violate that possession. The special object of your appointment, and the organization of the guard under your command, was to enable the governor to obey these requirements. You are not an officer connected with the judiciary department, but the agent whom the legislature has authorized

the executive to employ, to perform a public service which was imposed by law upon that department.

You will therefore arrest every person who may be found attempting to take away any gold from the mines. You will give general information in the Cherokee country of the determination of the executive department to enforce the laws so as to prevent if possible the necessity of making any arrests.

The peaceful acquisition of our Indian territory, and the preservation of the rights of the state may depend essentially upon your prudence and firmness in executing the duty which has been assigned you. Very respectfully, yours, &c. GEORGE R. GILMER.

Col. John W. A. Sanford.

AMERICAN SLAVES IN THE BAHAMAS.

The following case has caused no small degree of excitement. The vessel referred to (on her passage from one of the Atlantic ports of the United States to New Orleans) was wrecked on Abaco—and it appears that the British governor designs to condemn her cargo of slaves, as being illegally introduced.

From the Bahama Argus.

We understand that col. Morse, of New Orleans, arrived in this town a few days since, and that he is the agent for the owners of the one hundred and sixty-five American slaves, brought into this port from the wreck of the brig *Comet*, on Abaco. We are also informed that a correspondence has been commenced between this gentleman and his excellency the governor—the result of which has not as yet, transpired; but, were we disposed to hazard a conjecture, knowing, as we but too well know, the extent of influence exercised by the saintly hypocrites of England over her ill-fated colonies, we should not hesitate in saying, that his excellency will still persist in the illegal and unjust detention of the slaves in question from their rightful owners.

Hence, it seems a national question, to be settled between the United States and England—*non nostrum tantum componere lites*. Without aspiring to be much learned in the profession, we are inclined to believe it will puzzle all the lawyers in England, and lord Goderich at their head, to find any law or statute of Great Britain, or any of their colonies, that will warrant either the condemnation, emancipation, or further detention, of these slaves, under the circumstance of necessity and distress in which they were brought into this port.

An American vessel, engaged in a legal trade, sailing from one port of the United States to another, is wrecked, the slaves taken off a reef of rocks and brought into this port by British vessels, for the purpose of saving their lives, and procuring the means of transporting them to their port of destination; they are here seized by the crown officers, libelled, and tried under the abolition law—and fully acquitted by the judgment of a competent court; the whole provincial assembly of the island, and every respectable and intelligent man in this community, soliciting his excellency to restore them to their owners.

Why are they not restored? we again ask. Shew us the law of king, lords, and commons, under which they are detained. We do not want the private instructions of lord viscount Goderich, or the opinions of the abolition society; these may serve to oppress, and in the end, ruin our own colonies, but we cannot recognize in them any legal authority to deprive subjects of another nation at peace with England, of their lawful property.

We are not disposed to attribute to his excellency any personal motive or interest in the extraordinary course he has pursued, in relation to these slaves—although we are not ignorant of the fact, that some of them are now in his employment, and one in the capacity of *head cook* at the government house, and that the names of these, and the rest, appear in a certain memorial to the government, humbly soliciting the continuance of his excellency, as governor of the Bahama islands. If it be really true, that it has come to this, we would recommend to his excellency a much more expeditious mode of raising such recruits for such a service. Let him, like his namesake, gen. Smith, during the last American war, issue a proclamation, beginning in this way:—

"Come yellow, come blacky, come ragged and bare, Come filthy, come lousy, come just as you are."

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 7—VOL. V.

BALTIMORE, OCT. 15, 1831.

[VOL. XLI. Whole No. 1,047]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ We had laid aside prepared copy enough for the present number to fill two sheets—but only publish one, closely filled, however.

☞ In further demonstration of the entire fidelity that we intend to observe in all such things, we copy from the "Globe" a new arraignment of the vice president for an alleged plot against the president of the United States—though apprehending that it may furnish a very unpleasant supply of new matter, concerning subjects which have so much burthened our pages, and with which, we think, that the public is entirely wearied. We also insert a statement from the "Haleigh Register," published at the request of Mr. Branch, which will excite considerable interest in those who have read Mr. Eaton's "reply." It corrects an important mistake. We are prepared to receive yet new matters for controversy, and expect two of a very explosive character—but not immediately, we hope—out of regard to our oppressed pages!

☞ The general convention of the friends of domestic industry, to be held at New York on the 26th inst. promises to be very numerous and respectable. Maryland will be fully represented.

☞ The New York Whig of the 4th instant published the "Address of the National Anti-masonic convention," lately held at Baltimore. It makes nearly nine columns of that paper. We shall make room for it speedily.

☞ The editor of a small weekly journal, published in the western country, has commenced the "Calhoun correspondence," and promises to give all the papers that shall appear to it! The editor of another paper calculates that this will be a two year's job—supposing that the correspondence should end with major Eaton's reply. But from what we see and hear, there is no present hope of a termination to it. Many quires of ink-depaver are yet to rush into controversy! We shall endeavor to "go the whole."

☞ The "free trade convention," which met at Philadelphia on the 30th Sept. adjourned on Friday evening last, the 7th Oct. *sine die*—leaving much of its business in charge of a residuary committee. We have brought up the journal of proceedings and inserted the "address to the people of the United States," reported by Mr. Herrien and adopted without amendment, 158 to 29. The address is an ingenious paper, well calculated for effect—but not powerful, we think, because of its arguments or facts. Its distinguishing characteristic is—the *unconstitutionality of the protecting laws*; which was never suspected until the federal government was more than thirty years old and hundreds of acts had been unwittingly passed, which remain as standing monuments against the new doctrines of the south. And even yet, it seems, that a ship of the line may be sent to the furthest verge of the ocean to protect the cargo of an American shallop venturing so far, and that the army of the United States may be collected and stationed at certain points to protect property in slaves and keep it in order, both which we think "necessary and proper;"—but still, no law can be passed, or regulation made, which has for its purpose the protection of the farmers and other free laboring persons in the United States, unless also engaged in *foreign commerce*, or in some way interested or connected with the condition and proceedings of the slave population. Why may not navigation and commerce, and property in slaves, as well be left to "regulate themselves," as the growth of wheat and manufacture of blankets?

VOL. XLI.—No. 10.

The yeas and nays on the unconstitutionality of the tariff laws are not given—but Virginia, the Carolinas and Alabama had 115 votes in the convention—and, at the head of them stood a *judge of the United States*, VOLUNTEERING an opinion that the national legislature had violated the constitution! In ordinary times, this proceeding would not escape severe reprehension. We are glad, however, that the question is brought to a tangible point—which indeed, is the only one worth special notice in the address, for it is common enough in its remarks on "things in general"—and we shall now understand that the 30 per cent. duty extended to the makers and manufacturers of leather, furs and skins, wood, various metals and earths, and to *mechanics* in general, as well as the duties upon wool and woollens, &c. are all *unconstitutional* and must be abolished, or else—a small minority of the people will put the large majority "to rights;" and this is the only "free trade" which has yet been expounded for the public use, by this "free trade convention!" We shall see the end on't. The majority will not submit a revision of the tariff to those who stand pledged to destroy it. If amended, it must be so only by the hands of friends. Much may be yielded in a spirit of harmony, but nothing to force; and hence we think that the convention has done much to prevent what it ostensibly met to accomplish—and to strengthen those whom it was designed to weaken; and give to the friends of protection a most powerful weapon, seeing that the original construction of the constitution is decidedly with them, and has never yet been set aside, but sanctioned, by repeated acts and decisions of the legislative, judicial and executive authorities of the country, for a period of more than forty years; and surely something much stronger than the simple opinion of a meeting of persons, constituted as the "free trade convention" was, may be required to do away principles so long established and unhesitatingly acted upon. We shall hereafter give a list of the names of the delegates, and, as far as practicable, affix the places of their residence, that the force of this movement may be the better understood.

Mr. Sarehet, we see, made a communication to the convention concerning iron. It would have looked quite as well if that body had preferred the testimony of an *American citizen*. We expect, however, to publish his communication with the proceedings of the residuary committee.

Much remark is invited on several matters pertaining to this address—but we have not room to indulge it. The editors of the "National Intelligencer," as if in *maliciousness*, have just published an entire copy of the first petition to congress to protect manufactures, adopted at Baltimore and presented 11th April, 1789; among the signers of which was Sumner Smith, at present one of the senators from Maryland. It "gives the whole."

*In New York, it seems, they have the names of the delegates from that city who voted on this question—as follows:

For striking out the argumentative part of the address relative to the unconstitutionality of the tariff.

Yeas—Messrs. Goodhue, Gallatin, Mercen, Stevens, Carow, Boorman, Griswold, Swan, Ring, Trimble, Lorillard, King, Russell, Bronson, Heard, Stillwell—10.

Noes—Messrs. Fish, Leonard, Bergh, Kueceland—4.

On the final passage of the address—

Yeas—Messrs. Lorillard, Leonard, Fish, Bergh, Bronson, Goodhue, Heard, Kueceland—8.

Noes—Messrs. Mercen, Stevens, Carow, Boorman, Griswold, Swan, Ring, Trimble, Gallatin, King, Russell, Stillwell—12.

It is thought that the minority violated the instruction of the meeting, at which they were appointed—which confined their domgs to a "modification" of the tariff.

THE CONSTITUTION. The "Pennsylvania Whig" says that a protecting tariff has been pronounced constitutional by *George Washington, John Adams, Thomas Jefferson, James Madison, James Monroe, John Quincy Adams and Andrew Jackson*, (being the whole line of presidents of the United States); by *Benjamin Franklin and Alexander Hamilton*; by the two distinguished chief justices of the United States, *John Jay and John Marshall*; by *Henry Clay, John C. Calhoun, Daniel Webster, William Wirt, Henry Baldwin, Richard Rush and Albert Gallatin*. But what a list of names might be added, if disposed to array them!—such as *De Witt Clinton, Simon Snyder and Oliver Wolcott*, first rate practical statesmen, and *William Lander*, one of the ablest and best of men. Indeed, we might introduce the name of every distinguished person who had a part in framing or adopting the constitution, or was a member of congress at any time between 1789 and 1822, when the notion of unconstitutionality was, we believe first started. Nay, we suspect that the cautious *Marion Van Buren* stands fully "committed" on this subject, and even the ultra—the late *William B. Giles*, and present errand minister for St. Petersburg, *John Randolph*, are not free from an admission of the principle. Indeed, we suppose that no leading statesman or prominent politician, unless he has jumped into importance in the last ten years, stands "uncommitted," no matter in what part of the United States he may be found, against this "free trade convention!" O, that we had a file of the "Richmond Enquirer" from 1806 to 1814, and since! But, perhaps, a file may be accessible in Richmond—and if so, we shall much thank our friend the editor of the "Whig," if he will look to an account of a celebration of the 4th of July in that city, in 1807, 8 or 9, most probably, at which a cert. in governor of Virginia, (if we are not much mistaken), exposed himself without a coat, that the people might see and rejoice in the beautiful SHIRT that he wore of American manufacture! Let us have the whole—with all the patriotic remarks of Mr. Ritchie on that "momentous crisis."*

THE SLAVE QUESTION. It cannot be disguised that the great question concerning persons of color, in all the states south of the Susquehanna, is rapidly forcing itself upon the public consideration. The late awful tragedy enacted in Virginia,† and the detection of an extensive and organized plan to bring about desolation and massacre in North Carolina—where, it may be awfully believed, was not altogether confined to slaves in that state—has infected the minds of tens of thousands of persons with a quivering sensibility on the subject, and destroyed the peace of those who lived in seeming security on the brink of a dark and reckless volcano, ready to burst upon and overwhelm them with a lava of blood. In this exaltation of the fanciful sublimity of the white population, what must follow? The already small comparative numbers of such in the "tide-water counties" will be quickly reduced, in the prompt removal of most individuals not interested in slave-property, and

*A "republican" address was issued at Richmond in 1808, signed by *William H. Cabell, William Wirt, William Fouché, sen. Peyton Randolph and Thomas Ritchie*, earnestly calling the attention of the people to domestic manufactures. We make one extract by way of a specimen:

"Perhaps it is no wild supposition to conceive, that even if the present attacks on our trade should blow over, congress may adopt the policy of encouraging our own manufactures, by rather higher duties on the imported articles of *Europe*. To keep ourselves from being altogether dependent on Europe for clothing, congress MAY adopt this course, if they should discover from the experience of the intermediate time that we have really the inclination and the *power* to clothe ourselves." BRAVISSIMO—MURRAY!

Here is no doubt expressed of the want of constitutional power!—on the contrary, it is directly assumed!

†What may not be expected if another like occurrence shall take place! It is fearful to think of the beginning or ending of it.

especially of the white laboring classes—those who every where must bear "the burthen and the heat of the day." These cannot be spared!—the prejudice against such labor has much thinned their ranks, severe military duty will be added, and a general departure will ensue, when to these strong inducements is superadded the overwhelming consideration of personal safety. The various censuses teach an important lesson in this respect, and, with regard to the districts of country referred to and the next numbering of the people resident in them, will unfold new and awful causes for alarm, unless, and with a strong hand, the evil is grasped—and, in some way, relieved. Free labor and slave labor cannot abide together. In preferring the latter, as a governor of North Carolina has publicly done, the former seeks a new location in which it is protected or honored; and hence the one becomes stronger and stronger as the other becomes weaker and weaker—and danger increasing as the means of recasting it are diminished. Such is the truth—and it will reach the heart and home of every one interested, through sober reflection, or in twilight necessity. Thousands of our fellow citizens are now around—harassed with watchings and excited by every idle rumor that fear puts forth—and thousands of mothers, while trembling for their own safety, press their infants more closely to their bosoms, feeling that what happened in Southampton may happen to themselves. The character of that transaction, (more than its extent, though the slaughter was horrible), will remain impressed on the heart long after time shall have cicatrized the wounds inflicted by the massacre of unoffending women and children; and have a powerful tendency to furnish additional causes for fresh atrocities—for that those proceedings of the slaves in Virginia and North Carolina, will bring about a more severe treatment of the people of color, must needs be expected: they will be denied many little privileges and perquisites which they enjoyed, and the elements of discontent will be increased by unaccustomed restraint, and a knowledge of the fact that their power is lessened—while, of all things, should be concealed from them. Such is the natural progress of events. It is with unalloyed regret that we notice this—but, as before observed, the great question is forcing itself on the public consideration, and effects will follow—no matter how revolting it is to contemplate them. Let then the soundest heads and best hearts of the nation, be engaged to build up some practicable project which shall, at once, afford the hope of security to white persons and extend the prospect of an ameliorated condition to the slaves—and give the latter new motives to do well, in lieu of that which, it is to be apprehended, they will be pretty generally deprived of—the opportunity of religious instruction; which, though it may have afforded fitting seasons for bad men to do mischief, has, probably, had a powerful effect to soften asperities of temper, and better reconcile thousands to present suffering in the hope of a happy future. This is no time for the pressure of speculative opinions, with threats of "nullification" supported "as arms"—for there is a really existing evil which requires the united energy of all, to extinguish or keep in check—and to which we are assured that those not immediately interested will contribute their full proportion of means—sorrowing for the occasion, but gladly extending even to "nullifiers" the best evidence of a kind and generous national feeling, and a sacred regard for the welfare of the whole American people—which we desire may always be the "American system."

While reflecting on these matters, we received a letter from a distinguished gentleman of North Carolina (of a late date), from which we take leave to give an extract, as follows:

"I regret exceedingly that people of the south—many of our most intelligent men, should be so far carried away with mere sound and declamation against the protective system, as to condemn it without that patient investigation which the subject deserves. It would seem that the curse of slavery has blinded our eyes to the true interest of our country. If any question of policy can be so tortured as to have a bearing inmost to slavery, it would seem that there was a determination to oppose it, right or wrong. We are, sir, in this section of our country, in an unenviable situation. By the ex-cu-

sive encouragement extended to slave labor,* laboring white men are driven away from our towns; and, when the insurrectionary spirit of slaves manifests itself, we feel our want of them—and, as a consequence, the general government is called upon for assistance. I am one of those who do not believe we stand in need of any foreign aid as yet; but I cannot say, that, if the present policy is pursued much further, the day will not come when we shall need it. The subject of slavery is a delicate one for a southerner to touch upon; but it is one that we must sooner or later come to. I am therefore fully of opinion, that the sooner we begin to discuss it, the better for ourselves. It is true, the present generation may not expect to be relieved from this burthen; but, if we act wisely, our posterity may escape the curse. It is necessary that the southern states adopt a gradual scale of emancipation of their slaves; and, effectually to free us of them, the arm of the general government should be extended, to assist in removing them as they become free. I am convinced that a temperate discussion of this subject would lead to beneficial results. Your *Register* holds a conspicuous place among the publications of our country; and if you were to advocate this subject, I am of the belief that you would be useful to the cause of humanity and justice."

Such are the opinions of a friend in North Carolina—a gentleman who, as we believe, has a large stake in the matter referred to. We would gladly deserve the compliment paid us, and will cheerfully co-operate by all the means that we have—but to take a lead in such subjects, belongs to giant minds and lofty influences over public opinion. There are men whose voices would be heard—whose sound sense and established patriotism would reach many of the most obdurate and compel them to reflect, under an awful assurance of events that must flow from an adherence to the present state of things. But still, certain "would not believe though one arose from the dead," to admonish them—for there are some who must feel before they will reason.

In making these general remarks we do not wish to be understood as in any manner interfering with what are called "southern interests." We wish the south to take the lead in this matter, feeling willing to follow in any reasonable plan that may be devised, to protect and secure the safety of our brethren; and, on that account, heartily approve of the late orders for the removal of certain companies of the army of the United States southward—PROTECTION being a paramount duty in the general government, whether applied to the persons or property of the republic.

ADVERTISEMENTS. The lower part of the state of Delaware and the adjacent parts of the Eastern shore of Maryland, have been much agitated by apprehensions of a servile insurrection, and a good many persons of color were arrested—many expresses sent off for arms and men, and awful reports were heaped upon one another by fear! There does not appear to have been the least foundation for this excitement—but the ease with which it was worked up shews a most unhappy state of society. The manufacturers of news killed one whole family—who, it seems, were amazed at finding themselves dead—in the papers.

*As a case in point we shall mention the following. A young and industrious mechanic, with his wife, not long since proceeded to a small town in the south, with the hope of bettering his condition. His wife, a good looking and thrifty young woman, agreeably to her domestic habits, took her bucket to the pump or well for water. It was observed, and she was told that she must not do so—it was a business only fitting for negroes; but she had no servant, nor did she think that the condition of her husband justified her in employing another to do what she could do herself; but, to make a long story short, the result was—that certain ladies, jealous of the honor of their sex and color, so arranged this important matter, that the water she needed was always brought into her house by a slave, and the exposure of her person, as a working woman, thus avoided! This is a plain representation of an event which really happened. It is worth a volume of speculation.

(Ed. R&O.)

MORE OF IT. A plot has been discovered among the slaves of the island of Tortola, to fire the town and make an indiscriminate slaughter of all the white inhabitants. A want of concert among themselves seems have caused a disclosure of their terrible project. Relief had been sent from St. Thomas, though Tortola is a British island.

PENNSYLVANIA. The election in Philadelphia city and county has resulted in the success of what is called the "Democratic ticket" by a considerable majority. There is some new division or organization of parties that we do not understand. The Democratic ticket in the city is headed by Joseph Hemphill, and prevailed by a majority of about 1,000 votes, and a large majority for the "Jackson and Wolf" ticket was obtained in the county; on the result of which the "American Sentinel," late "official," claims a splendid victory over the "Inquirer," which is the present "official," and, besides, there were working men's tickets.

DELAWARE. The late election in this state has resulted as usual, except with an increased majority of votes in favor of the "National Republican" party.

JUDOR MARSHALL. Many marks of kindness and respect have been extended to the venerable chief justice of the United States since he arrived at Philadelphia, of some of which we shall preserve an account in humble tribute to his worth. When he visited the "Free Trade convention," the delegates rose en masse to receive him—multifaceted, anti-25th-section-men, and all!

MR. RANDELPH. The minister extraordinary, JONAS RANDELPH, who was sent with a roving commission to St. Petersburg, has returned in the *Island*. As he has not been near his post since the cholera has prevailed in Russia, he will not, we presume, be subjected to quarantine.

[N. Y. American.]

MR. WIRT. The newspapers teem with speculations and remarks on the nomination of this gentleman for the presidency, by the "National Anti-Masonic convention," which lately met in Baltimore; and we have thought that, if room could be allowed, much amusement, and some instruction, might be afforded in presenting a fair selection of the various and conflicting views offered to the public consideration; but we fear to open our pages to discussions of such *illimitable* extent as this subject promises. We were surprised at the nomination of Mr. Wirt—at his acceptance of the nomination—at the manner and matter of that acceptance, and more especially at its ratification by the convention. We have a high personal respect for Mr. Wirt—but do not think that his opinions concerning internal improvements and domestic industry are exactly those entertained by the friends of the "American System"—we see, however, that, in that great manufactory of "democrats" and "federalists"—the "Albany Argus," (the head of which, as we long since heard, was once crowned with a "black-cockade"), he has been called an "old school federalist," and "in Virginia was arranged against the democracy in those days when JEFFERSON was at the head of the republican party." Now, if this be a sin, Mr. Wirt, surely, is one of the last men that will have to account for it! He was intimate in the family of Mr. Jefferson, in youthful life—and no one surpassed him in the private and public esteem which he entertained for the character and services of the author of the declaration of independence. If the term may be used without disrespect to Mr. Wirt—he was one of Mr. Jefferson's "favorite pets," because of his early development of talent, and ardent devotion to the "democracy of those days,"—which he powerfully defended by speaking and writing, being eminent in both.

"BALANCE OF TRADE." We made a few remarks about money in our last paper. We much fear the statement is true, that the revenue from importations will amount to 30 millions for the present year. This amount of revenue, because of the quantity of free articles, must represent a consumption, (or in other words, an excess of importations of foreign goods over the exportations of them), of at least 100 millions of dollars—the value

of the domestic articles exported last year was only 59 millions, and if the profits on labor, subsistence and capital employed in navigation, be added—the aggregate value cannot have exceeded 70 millions; so that, if the exports of the present year shall not be greater than the last, there will be a general deficiency of 30 millions—and how shall that mighty sum be settled? In part, by losses on forced sales of goods, because of their surplus quantity—in part by bankruptcies, and the remainder in coin.

WOOL. We mentioned in our last, that the price of American wool ranged from 50 to 70 cents per lb. but have since observed that the quotations in Baltimore, (which, however, is not a great wool market) are from 35 to 58—the quality, perhaps, being generally inferior to the product of the more northern states. From the large quantities that we see advertised, a further decline in price must be expected. The speculations which we spoke of last spring, have had the re-action which every prudent man, (out of the vortex of their operation), plainly foresaw must take place—and this has been aided by heavy importations, notwithstanding the efficient duty on wool. Such things are always injurious. But we hope that the wool-growers, generally, thought as we did, and realized the highest price for their crops, by early sales. To assist the further reduction in price, money has become "scarce"—and no small proportion of the excessive quantity of British woollens recently imported must be "hammered-off at auction," to "raise the wind," and pay British debts. The price of foreign and domestic cloths has much declined.

ANCIENT PRICES IN ENGLAND. In the year 1352, 25th Edward III, wages paid to haymakers was 1d. per day; a mower of meadows 3d. a day, or 5d. an acre; reapers of corn in the first week of August, 2d. in the second, 3d. per day, and so on till the end of August, without meat, drink, or other allowance, finding their own tools; for threshing a quarter of wheat or rye, 2½d.; a quarter of barley, beans, peas or oats, 1½d.; a master carpenter 3d. a day; other carpenters 2d.; a master mason 4d. per day; other masons 3d. and their servants 1½d. per day; tilers 3d. and their "knives" 1½d.; thatchers 3d. per day, and their knives 1½d.; plasterers, and other workers of mud walls, and their knives in like manner, without meat or drink, and this from Easter to Michaelmas; and from that time less, according to the direction of the justices.

In Wilkins's *Leges Saxon*, as quoted by Dr. Henry, we have prices of various articles in England in the reign of Ethelred, about the year 997, which the learned doctor has calculated with great correctness in money of the present time.

Price of a man or slave	£2 16 3 sterling.
a horse	1 15 2
a mare or colt	1 3 5
an ass or mule	0 14 1
an ox	0 7 0½
a cow	0 6 2
a swine	0 1 10½
a sheep	0 1 2
a goat	0 0 4½

We think it will be agreed, if such were the present prices of men and other property, or of labor, in England, the people of the United States could not endure a "free trade" with England, seeing that negro-slaves are worth from 70 to 100d. sterling each, and a day's labor, with us, cannot be put down at less than 3s. The principle holds good, ~~that the difference is reduced, not less than~~ a million of PAUPERS are turned out in England, for a sufficient supply of the coarsest food. Shall the free-laborers of the United States be brought into competition with them? Our "free traders" say so—but the English "free traders" will not admit the principle, in respect to bread. We have plenty of land—England prohibits our flour and grain; England has plenty of labor, and grows its about our restrictions, because we do not freely admit its productions! How vast is the difference between mine and thine! If England had the climate and the land to grow COTTON—a "free trader" would be as scarce in South Carolina as a knee buckle ever was in the highlands of Scotland.

"WORKING MEN." The celebrated company of volunteers, which marched from Baltimore and served in Canada in the late war, had 110 rank and file—and the whole company, two excepted, were mechanics—men who stand dishonored because they labor, in some parts of the country, though always among the first called upon to defend the soil.

"FREE TRADE!" The Greenville S. C. Mountaineer states, that a great number of horses have been driven through that place this season; and that on one day there were twelve hundred horses and mules from Kentucky and Tennessee in that village. The editor marvels how so many can be disposed of in that state these hard times, and conjectures that some of those so greatly opposed to buying Kentucky cattle three years since, have relaxed a little.

EXPORTS FROM CHARLESTON for the year ending Oct. 1, 1831—

Sea island cotton—bales	20,317
Upland	184,981
	205,298
Same time 1830—	
Sea island	17,463
Upland	192,304
	209,767

Less in the latter year 4,469 bales.

If the value of foreign export shows the wealth of a country or state, South Carolina, with all her complaints about hard times, is one of the richest countries or states in the world, regard being had to the number of her citizens.

RAIL ROADS. The Albany Argus contains notices of intended applications to the legislature of the state of New York at the session of the ensuing winter, for rail roads, the aggregate capitals of which amount to twenty-two millions of dollars. All of these projects are for roads between Albany and Buffalo—two of them to run through: the third, from Buffalo to the Cayuga lake, and the fourth, from Utica to the Cayuga lake.

WASHINGTON. The corporation of this city has purchased the uncompleted canal, and resolved to finish it on an enlarged and improved scale. It will form a continuation of the Chesapeake and Ohio canal, be 150 feet wide and 8 feet deep, and terminate on the Eastern Branch, an excellent harbor, and well fitted to all the purposes of an extensive navigation. By means of this canal, the Potomac, as it were, will pass through the city, and vessels of considerable burthen discharge their cargoes at the stores on the streets. Such a work, independent of its connexion with the great canal, must add much to the business and wealth of the growing metropolis of the union—which, in spite of various adverse circumstances, is rapidly increasing in population—and, because of its beautiful and advantageous location, abundant supply of pure water and general healthiness, must proceed in improvement, and become a great city—the depot of a large interior and exterior trade, and grow in means with the growth of our country, united and prosperous—and abound with industrious and thrifty men, profitably employed in supplying their own mutual wants, and those of the vast number of strangers which resort to the seat of the national government.

We never visit this city without seeing some new thing that pleases—but have for some years thought that we observed a change in the habits of the people, themselves, which was most agreeable, in an increased attention to their several branches of business. A numerous and powerful body of producers are growing up—the mechanic arts flourish, and the manufacturing are beginning to follow, with a market at hand for the various fruits of their industry. These two chiefly make up the wealth of cities, commerce being the "hand-maid" of both.

TROUBLE A-HEAD! The following is from the honorable Isaac Hill's "New Hampshire Patriot," and has reference to major Mordecai Manasseh Noah's paper, the "New York Courier and Enquirer." The U. S. senator-editor and the U. S. surveyor-editor will probably go to war—

"We regret to see the predictions of the *New York Standard* every day verified, in regard to the transfer of interest in a prominent democratic newspaper establishment, and the consequent change of conduct in regard to the U. S. bank."

MAIL ROBBERY. A certain Henry Johnson, employed to carry the mail from New York to Elizabethtown, N. J. has been arrested for robbing it. It is supposed that he had *utilized* about 3,000 dollars of other persons' money.

"**THE SUBLINE AND BEAUTIFUL.**" *From the Washington Globe.* "Adams can't raise a leg since he was distanced—Clay is already broken down in Kentucky, which ends his efforts east and west. Calhoun has run through the girth, and McLean cannot venture on a race in which all the rest have been thrown out."

BISHOP OF OHIO. Bishop Chase of the P. E. church having resigned the bishopric of Ohio, the rev. Mr. Melville, of New York, lately of Georgetown, Col. has been elected in his place, and also to become, *ex officio*, president of Kenyon college—some difference about the management of which appears to have caused the resignation of Dr. Chase. Mr. Melville is very highly spoken of as a learned, pious and liberal gentleman.

LIBERIA. The following account of the difficulties and loss of life that attended the settlement of Virginia, has been published to shew the greater comparative progress that has been made in building up the colony in Africa—which latter may now be regarded as being established, if a moderate degree of protection and care shall be extended towards it. Let the healthiness of its location be settled—and the desire of emigration to it will far exceed the means furnished to gratify it.

Origin of the ancient dominion. The first attempt to plant a colony in the United States was made under the auspices of sir Walter Raleigh, to whom queen Elizabeth had granted a charter for that purpose. The first party consisting of a hundred and ten persons, landed on the island of Roanoke in 1585. They were found by sir Francis Drake in the following year, reduced to the lowest state of distress, and by him, at their request, carried back to England. In 1587, Raleigh sent out a great number of colonists, and when in 1590, three ships were sent out, not a vestige of them was to be found. Raleigh, after expending £40,000, abandoned the enterprise in despair. Whether the colonists were murdered, or incorporated with the savages, has never been known.

Under the auspices of an association to colonize America, on the 13th of May, 1607, one hundred and five men were settled at Jamestown. Before the month of September, fifty of the company were buried. They were soon reduced to thirty-eight persons, determined to abandon a country so unfavorable to human life. Soon, however, one hundred and fifty persons arrived under captain Newport, and the number of the colony was soon reduced to sixty persons, and were actually taken on board his squadron, and set sail for England, when they were met by lord Delaware, who persuaded them to return.

In the year 1624, after more than 150,000 had been expended, and more than 9,000 persons had been sent from England, its population did not exceed 1,300 persons.

{Compare the above with the condition already attained by our African colony, and the materials of which it has been formed, and it must be admitted that the progress and prospects of the latter are eminently encouraging.

Nat. Intel.]

THE SHEARING OF THE FLOCK. We find the following in a London paper—"The right rev. William Knox, lord bishop of Derry, is dead; it is the richest see in the world, and the right of appointing to it devolves on the crown, or on lord Grey. To this bishop, belongs 96,000 acres of land, and the right of appointing to 52 parishes, varying in value from £300 to £2,000 per annum. The annual rent of the see is not less than £25,000. It is a principality in point of wealth, power and influence. The London Morning Post, foretells that lord Grey will

give it either to hon. Richard Ponsonby, his brother-in-law, or to Dr. Grey, dean of Hereford, his brother."

The prognostic of the London Post is confirmed. By late advices in the London papers, we perceive that earl Grey, the whig premier, has given the see to his brother, the dean.

"He that provideth not for his own family, is worse than an infidel," in this season of "reform"—the practice of Washington to the contrary, (in respect to such proceedings), notwithstanding. For six or seven of a family, to fatten at the public crib, is nothing uncommon—now o'days. The "shearing of the flock" by the bishop of Derry—one man, is many times more valuable than all the trumpeted charities bestowed on the starving population of Ireland. We trust that the end of all such operations is nigh.]

INDIAN AFFAIRS. The Tuscaloosa Intelligencer says, that "G. S. Gaines, of Demopolis, has been appointed special agent of the war department, to superintend the collection of the emigrating Choctaws, and their removal and subsistence as far as the west bank of the Mississippi river, from whence captain Clarke of the United States army, who has in readiness a number of wagons and teams for the purpose, will convey them to their new country west of the territory of Arkansas. The government, it is said has offered a bounty in money of ten dollars per head, for each man, woman and child, who may prefer to go in their own way, without further aid from the government, than ferrisages and provisions when passing depots, payable after their arriving in the new country. It is believed that most of those who possess the means of removing themselves, will embrace this offer."

The last Milledgeville Journal contains a correspondence between gov. Gilmer and Mr. Cass, the secretary of war, from which it appears that the president has appointed Mr. Curry as U. S. agent, for opening an enrolment register for such Cherokees within the chartered limits of Georgia, as may be disposed to emigrate beyond the Mississippi. The measure is to be pressed with as much alacrity as possible.

THE AMERICANS. We remark in Kotzebue's "New Voyage around the World"—a jejune book on the whole—the following passage—

"Between Falkland islands and the west of Patagonia, we sailed within speaking distance of a North American whaler. The dirty ship, and the crew smeared with blubber, had, indeed, a disgusting appearance; but if we consider to what toils and dangers these men are exposed during their voyages, which commonly last several years, in the most tempestuous seas, sometimes sailing about for months without seeing a fish, and suffering in the meanwhile from the want of wholesome food, yet pursuing their object with invincible perseverance, it is impossible to deny them compassion, and even commendation. The North Americans display an industry and perseverance in their commercial undertakings, which is not exceeded even by the English; they are to be met with upon every sea, and in the most unrequited regions, disdaining nothing, however trivial, from which they can derive profit."

In his second volume, captain Kotzebue observes—"The North Americans are such clever sailors, that even when drunk they are capable of managing a ship"—an ambidextrous compliment.

Mrs. MARY THOMPSON, sister of the famous CHARLES THOMPSON, secretary of the revolutionary congress, died at the house of her nephew, John Thompson, esq. at Newark, Delaware, on the 20th ult. aged 93 years. There were five brothers and one sister of this family—the youngest died at 79, the oldest, Charles, at 95—the sum of their ages being 531 years, or an average of 88½ years.

A Miss CLIFTON, educated at Emmitsburg, Maryland, and only 17 years old, has burst upon the play-going public of New York, (and they are, or at least ought to be, good judges of theatrical excellence) like a meteor, in the highest walks of tragedy. Her performance of the strong and difficult part of Lady Macbeth, is loudly and earnestly applauded.

APPOINTMENTS BY THE PRESIDENT. G. A. Montmain, to be surveyor and inspector of the revenue for the port of Bayou, St. John, in the state of Louisiana, vice Levesque, resigned.

John Smith, to be surveyor and inspector of the revenue for the port of St. Louis, in the state of Missouri, vice James W. Moss, resigned.

Joseph B. Lancaster, to be collector of the customs for the district of St. Johns, and inspector of the revenue for the port of Jacksonville, in the territory of Florida, vice James Bell, deceased.

Joel M. Smith, to be surveyor and inspector of the revenue for the port of Nashville, in the state of Tennessee, vice Basil Shaw, resigned.

Samuel Gwin, to be register of the land office, for the district of lands subject to sale at Mount Salus, in the state of Mississippi, vice Stockly D. Hays, deceased.

Ogden D. Longstaff, to be collector of the customs for the district of Teche, and inspector of the revenue for the port of Franklin in the state of Louisiana, vice Donelson Caffery, resigned.

{We have not seen it officially stated that Mr. James Buchanan, of Pennsylvania, has been appointed minister to Russia, in place of the late "wandering" Randolph—but the "official paper," the "Globe," gives an account of a visit of the mail contractors at Washington to the president, and says that "the hon. James Buchanan, recently appointed minister to Russia," marched in the procession of contractors.}

THE ENGLISH REFORM BILL has been so much embarrassed and loaded by various combinations of interests, that great fear is entertained of its ultimate passage—and, with its failure, many sober-minded men look for a terrible convulsion—the present state of privation seeming only borne by the poorer classes of the people in the hope of better times. With the loss of that bill, hope will bid England farewell, except in an appeal to force. This would appear to be a general opinion—and Earl Gray has become unpopular, (and most justly, if the fact stated is true), because that he has already put members of his family into different places worth not less than one hundred thousand pounds a year—say half a million of dollars.

BRITISH COLONIES. Documents laid before parliament. From the very voluminous and valuable papers prepared by Mr. Hume for his motion to give representatives to the colonies, we have the following information:—The British colonies amount in number to thirty-seven, exclusive of the British possessions in India. Of these there have been captured eleven, ceded four, obtained by settlement nineteen. The population of these colonies is, in North America, 911,229; British Guiana and the West Indies, whites, 40,485, free colored people, 60,863, slaves, 694,530—total, 836,527; crown colonies, whites, 238,388, free colored people, 977,407, slaves, including, of course, convicts, 146,892—total 1,322,409. The imports from the whole in 1829, in official value, were, £11,508,943; official value of exports, £10,777,244. Ships inwards, 2,798, tonnage, 755,375; ships outwards, 2,977, tonnage, 1,067,243. These are important data whereby to estimate the value of our colonies. [London paper.]

THE CHOLERA. A letter dated St. Petersburg Aug. 2, says,—"The sickness at St. Petersburg, I am happy to say, was very much better yesterday than ever. There were but 40 or 60 cases, and we think in a few days it will cease entirely."

ANNIVERSARY OF THE "THREE DAYS." As every thing relating to the "good Lafayette" is interesting to Americans, we translate the following from the Paris National:

"The common opinion was that general LAFAYETTE, on such a day (July 27th) would occupy a place corresponding to the conspicuous part he had in our glorious revolution; but this expectation proved erroneous, as the general contented himself with joining his colleagues, who attended the ceremony in large numbers.

"The general, who in entering the pantheon, had been received with shouts of "vive Lafayette," was, on his return, again the object of the same joyous exclamations.

"National guards, students, workmen, all hastened around his carriage, which would have been drawn by the people, the horses having been taken out instantaneously, had not the general's most earnest entreaties caused the latter to be replaced. A multitude of citizens of every age and condition formed the cortege of the illustrious veteran, and accompanied him to his dwelling, every one anxious to see him—to hear his voice—to shake hands with him.

"In passing the artillery of the national guard, a salute was fired. The general appeared to be profoundly touched by the unequivocal testimony of affection of which he was continuously the object, and all his expressions bore evidently the marks of his deep emotions. The utmost order prevailed throughout the day."

COMMERCE. We have received from our correspondent at Washington, the report of the secretary of the treasury, relative to the commerce and navigation of the United States during the year ending 30th Sept. 1830. The imports during the year amounted to \$70,876,920: of which, \$66,035,739 were imported in American vessels, and 4,841,181 in foreign. The exports amounted to \$73,849,503; of which, \$59,463,029 were of domestic, and \$14,387,479 of foreign articles: of the domestic articles, \$51,106,189 were exported in American vessels, and \$8,355,840 in foreign vessels; of the foreign articles, \$12,776,529 were exported in American vessels, and \$1,610,950 in foreign vessels; 967,227 tons of American shipping entered, and 971,760 cleared from the ports of the United States; 151,900 tons of foreign shipping entered, and 133,436 tons cleared, during the same period.

The registered tonnage, as corrected at the register's office, for the 31st December, 1829, is stated at 650,142; the enrolled and licensed tonnage at 508,858, and the fishing vessels at 100,796. There were employed in the whole fishery 57,284. Total 1,360,797.

[N. Y. Jour. Com.]

CHECKS—of the offices of the bank of the United States. The greater part of what are called five and ten dollar notes of this bank, are really only checks drawn by the offices of the several branches on the parent bank. The following is from the "Baltimore Republican."

We mentioned sometime since, that a question had been raised in the state courts of Ohio, as to the legality of the issues of five and ten dollar notes, drawn by the branches of the bank of the U. States upon the bank at Philadelphia.

A person named Cunningham was tried "for having in possession certain counterfeit notes, purporting to be notes of the president, directors and company of the U. States bank—knowing the same to be forged and with intent to utter." The counsel for the prisoner contended that the indictment ought to be quashed, inasmuch as the document produced in evidence was not a note purporting to be of the United States bank, but a mere check, drawn by the president of the branch bank at Louisville, countersigned by the cashier—upon the principal cashier of the bank residing in Philadelphia. It was agreed, however, that the case should be referred to the jury, and the man was convicted. His counsel then gave notice that they would move for arrest of judgment—and the case lay over till the 28th ult. when, as we learn, by a letter published in the Globe, the motion was made, and the point argued, and it was decided by the court that the indictment had not been sustained, and the prisoner was liberated.

The arguments used were, that the bank had not legal authority for putting into circulation as bank notes, those checks—that no note under one hundred dollars could be legally made payable to order—that the bank had at two different sessions of congress made application for authority to appoint two additional officers to sign notes, as the president and cashier could not sign a sufficient number of notes for the currency of the country—that the request was relined on the ground, that by multiplying the signers of notes, facilities would be given to forgeries—that notwithstanding congress had

refused to allow two additional signers, yet the bank had increased the number to twenty-five—by the presidents of the twenty-four branches being authorized by the directors to sign notes—that this was an illegal stretch of power, unauthorized by the charter, or any other law—and finally, that there is no law of the state of Ohio for punishing any one for having forged checks in possession.

The decision is of considerable importance to the bank and the public.

FOREIGN NEWS.

Liverpool dates have been received at New York on the 2nd of Sept. inclusive. The French premier M. Perier, had submitted to the chamber of deputies, a project of a law abolishing hereditary prerogative, and making it eligible for the chambers, by two successive acts of legislation, to renew it. He asks for an increase of the army of France to 500,000 men, which involves the imposition of more taxes. The French army has commenced its return from Belgium.

The reform bill is still pending in the British parliament, and it is estimated that it will take three months to get through its remaining 40 clauses, at the rate at which it proceeds. There is a rumor that the king of Belgium had made a requisition on the king of the French to let 12,000 of his army remain in that country. This Earl Grey declared could not be permitted. The Poles, if report be true, (but for the love of liberty we feel disposed to doubt it), are in a most perilous situation. The reports are, that Warsaw had been in the hands of the mob; that the command of the army had been taken from the brave Schryznicki; that many persons had been hung up at the lamp posts by order of certain jacobin clubs; that prisoners were murdered in the jails; that anarchy, confusion and distrust, were the order of the day; and in the midst of all these untoward circumstances, the Polish army had retreated before the Russians, who had advanced within five miles of Warsaw. These rumors are supposed to be greatly exaggerated, if not without foundation; we, however, fear the fate of the Poles, as the induction of France had failed. It is again rumored that the emperor of Russia was ill. The *cholera morbus* raged in many parts of Russia and Poland.

Austria it was said had again determined to invade Italy to suppress the spirit of disaffection, and that France would not interfere. Greece was about to issue a paper currency—her situation is truly unenviable.

A difference had arisen between the officers of the Kensington frigate, built in this country, and those of a British man of war, on a matter of etiquette. A message had passed, but had not been answered; and the Americans, on a second consideration, offered to withdraw it; but their letter had in the meantime been handed over to the admiralty.

Imprisonment, outrage, and tyranny, still proceeds in Portugal.

NAVAL REGISTER—OFFICIAL.

Some of the most important changes in the *Navy Register*, as ascertained at the Department, during the month of September, 1851.

HEATHS.

Master Commandant—John Porter, at Watertown, Mass. 2d Sept.

Lieutenant—Paul H. Hayne, at Pensacola hospital, 4th Sept.

Surgeon—Wm. C. McCall, near Trenton, N. J. 14th September.

Gunner—Wm. S. Cowan, New York hospital, 15th September.

REGISTRARS.

Surgeon—Samuel B. M. Ione.

Assistant Surgeon—John H. Inlay.

Passed Midshipman—John R. Bryan.

Midshipman—George M. Thompson.

Do. Alonzo P. Buck.

2d Lieut. of Marines—Thomas Lee.

Vessels on each foreign station, as reported the last month, except the changes noticed below.

Frigate Brandywine—at Toulon 20th of July, commenced battle on board.

Sloop Ontario, capt. Gordon—at Marseilles on the 9th July, for Malton in 5 days.

Sloop John Adams, capt. Voorhes, at port Mahon 11th June, to sail thence for Constantinople, by way of Naples, on the 2d, with commodore Porter and suite.

Sloop Concord, capt. Perry, sailed from Marseilles 6th of July, for Genoa.

Frigate Constellation, capt. Wadsworth, and sloop Boston, capt. Sizer, were at Voula in the Bay, on the 5th of July. To return to Smyrna as soon as the plague should subside. All well on board.

Sloop Edmonth, capt. Gregory, in lat. 38° 30', long. 98° 24' W. on the 21st July, all well.

Sloop Erie, capt. Clark, seventeen days from Pensacola, was spoken in lat. 39° 15', long. 47°, on the 25th of August, all well. [Arrived at Norfolk.]

Schooner Porpoise, lieut. commanding Percival, arrived at Pensacola on the 7th September.

Schooner Grampus, lieut. commanding Tinsall, arrived at Norfolk 2d instant, 12 days from St. Domingo, all well. Will return to the West Indies soon as repaired, &c.

Sloop Vanalia, capt. Kenyon, at Rio on the 10th August, waiting relief, all well.

Sloop Warren, capt. Cooper, sailed from Norfolk 2d September.

Frigate Guerrier, com. Thompson, at Lima on the 3d of June.

Sloop St. Louis, capt. Sloat, left Lima about the 12th of May for Payate, and other leeward ports.

Schooner Dolphin, lieut. commanding Fitzhugh—sailed from Lima about the 8th of May, for Guayaquil and other leeward ports.

Lewis Herman, fleet surgeon in the Mediterranean, arrived in New York, as a passenger, September 28th. Navy Department, Oct. 1, 1851.

FREE TRADE CONVENTION.

Thursday, Oct. 6. After the usual routine of opening the business of the day was gone through,

Mr. Peindexter, of Mississippi, presented a partial report from the general committee, containing a resolution that it be recommended to this body to appoint a committee of six to meet a convention which is to be held at New York on the twenty-sixth instant, for the purposes of conference and conciliation.

Ordered to be laid on the table.

In consequence of the printed copies of the report of the committee not being ready for delivery to the members of the convention, an adjournment took place till one o'clock.

On the chair being resumed, the president announced that a communication had been received, signed by Mr. Sarchet, in reply to the communication which was yesterday received from Mr. Ronaldson, which he would cause to be read to the house.

The document stated that, in the time mentioned by Mr. Ron Idson, during which a considerable diminution had taken place in iron in the United States, a much greater fall had taken place in foreign markets. In Great Britain the price was reduced one half, whilst in this country the reduction did not much exceed seven and a half per cent. He contended, therefore, that a specific duty, instead of diminishing the price of the article, had actually operated against a diminution of price.

Along with the communication he sent some specimens of English and American cast-iron the English being of a superior quality, and the price lower.

It was moved that this communication be printed.

An amendment was proposed, that the communication of Mr. Ronaldson, and that of Mr. Sarchet be printed together.

This was opposed, upon the ground that if the convention commenced the printing of documents of that description, it was not known to what extent their printing might be extended.

Motion negatived.

It was stated that some difficulty had arisen in the printing of the report of the committee. The printers

of newspapers not being willing to undertake it, another printer was to be sought out.

A gentleman from Georgia, observed, that if the report were printed and delivered at the time, gentlemen would not have time to read it and consider its import so as to go into debate upon its contents. But, as the copies had not yet arrived, he thought it advisable for the house to take a recess till five o'clock, by which time the report would, in all probability be ready, and moved accordingly.

An amendment was moved, that the adjournment be till four o'clock, and another gentleman proposed ten to-morrow.

A conversation here ensued upon a point of form. The president stated, that it was irregular to move for an adjournment to any particular time; the motion to adjourn till ten to-morrow could only be taken as a motion to adjourn, which motion took precedence of any other. The convention had not fixed any stated hour at which to commence its sittings from day to day, and therefore, in putting the question the chair had said to resume at ten to-morrow. It was desirable that the convention should have a stated time for its regular sittings.

A motion was accordingly put and carried, that the convention, in adjourning from day to day, should resume at ten in the morning.

The motion to adjourn was negatived.

The motion for a recess till four o'clock was then put and negatived.

A gentleman from Alabama moved that the house resolve itself into a committee of the whole convention, to consider the report clause by clause.

Mr. *Pointdexter* objected, upon the ground that gentlemen were not prepared. No copies of the report had yet arrived, and gentlemen really ought not only to be furnished with the report, but be allowed time to read it and reflect upon it.

The gentlemen from Alabama, after some remarks upon time being lost through procrastinations arising from different causes, renewed his resolution that the house resolve itself into a committee, which was carried.

The president then appointed Mr. *Scdwick*, of Massachusetts, chairman of the committee, but that gentleman not being present, Mr. *Banks*, of Virginia, was appointed, and took the chair accordingly.

In the course of the proceedings, a few printed copies of the report of the committee were brought in, and distributed amongst the members of the convention.

Mr. *Pointdexter* was confident that no progress would be made by proceeding to business immediately. Very few gentlemen had yet received copies of the report, and in discussing it clause by clause, so unfurnished, they would be subjected to much inconvenience. He was confident that time would be saved by postponing the consideration of the report, till gentlemen were better prepared. He moved therefore, that the committee rise and report progress, and ask leave to sit again.

The motion being negatived, the chairman commenced the reading of the report, and had proceeded for some minutes, when

Judge *Berrien* entered the hall. He said, when the order was given to print the report, his idea was, and it coincided with the opinions of other gentlemen, with whom he had conferred on the subject, that the intention of having it printed was, to give gentlemen who had only heard it once read, an opportunity of reading it, and of reflecting upon what it contained. He had been employed in superintending the printing and reading the proof sheet; he was aware that a small number only had been handed in to the convention, and he was surprised, upon his return, to find the house resolved into a committee, and engaged in discussing the report, clause by clause. Gentlemen ought to have time to read the report, to take it with them, and examine it in their closets. He brought the meeting to postpone the consideration until gentlemen had an opportunity of being better prepared. By going too hastily into it, erroneous opinions might be taken up, and lead to disastrous results. For his own part, he could scarcely trust himself in the discussion, in the present state of his feelings, with respect to the questions involved, unless the convention were better prepared, than in his opinion they could be, under the

circumstances. He concluded by renewing the former motion to adjourn, &c. which resolution was carried.

The president having resumed the chair, Mr. *Banks*, chairman of the committee, moved for leave for the committee to sit again; which motion being carried, the house adjourned at two o'clock.

The following is the paper read by Mr. *Berrien*, from the federative committee to the free trade convention:

TO THE PEOPLE OF THE UNITED STATES.

A portion of your fellow citizens, resident in different states of the union, who are numerous, respectable and intelligent, who like yourselves, are attached to the principles of free government, and ardently devoted to the great constitutional charter, which consecrates and upholds them—who ask only an equal participation in the benefits, and are ready to bear an equal share of the burthens of the government—who are willing, moreover, to concede to others a perfect right to the full enjoyment of whatever they ask for themselves; such a portion of your fellow citizens, whose condition, character, motives and views are thus faithfully delineated, have deputed us to represent them on an occasion deeply interesting to their feelings as men, and vitally important to their interests as citizens of this great confederated republic. They have called upon us to unite our counsels for the redress of the grievances under which they labour; and have enjoined it upon us, as a duty, to omit no means for the accomplishment of this object, which may consist with our obligations as citizens, and with their own faithful and ardent devotion to the bond of our common union. In the performance of a duty like this we cannot be insensible to the propriety of a frank and respectful communication with our fellow citizens at large. We are members of the same great political family. Our interests are common, and so also are our duties; and it cannot be that any portion of our brethren can desire to withhold from us our just share of the benefits, or to subject us to an undue proportion of the burthens, which flow from the government under which we live. We have equal confidence in their justice and intelligence; and assure ourselves that it is only necessary to bring home to their understandings the conviction of the evils under which we suffer, to secure their cordial co-operation in prompt and effectual measures for their removal. We would commune with you, then, in the spirit of these feelings. We must speak with frankness. It may be that our language will borrow strength from the conviction of our wrongs, but we will not forget the just respect which is due to those who differ from us in opinion, and cannot be unmindful of the affection which we bear, and which we earnestly desire to cherish towards our brethren throughout the union.

The representatives of portions of our fellow citizens, belonging to different states of this confederacy, have assembled in the city of Philadelphia, to consider the grievances which they suffer under the existing tariff of duties, and to devise, if happily they may do so, some constitutional and peaceful mode of redress. Speaking generally, they have come together as strangers to each other, with all the variety of opinions on most subjects, which spring from different habits and pursuits, and is perhaps inevitably incident to the imperfection of our common nature. On one engrossing question, that which constitutes the subject of this address, looking as well to its principles as its details, they have found a concurrence of opinion, which, as they believe, entitles them to ask for that opinion, and for the reasons on which it is founded, the attentive and dispassionate consideration of the American people.

Among the evils which flow from the tariff system, as at present established by law, the widest and determined opposition to that system, which exists in various parts of the union,—the deep and settled discontent which is felt, and has been manifested by a numerous, patriotic, and intelligent portion of our fellow citizens,—cannot fail to awaken the liveliest solicitude of every lover of his country. Let it be remembered that this is no transient feeling—the offspring of momentary excitement—one which may be expected to pass away under the influence of a more calm and dispassionate reflection.

tion. No—the system of which we complain is not of recent origin, and the feeling of discontent, which was coeval with its institution, time and experience have only served to strengthen and increase. Let those who sincerely desire to perpetuate the political blessings which we enjoy, look to this consideration with the attention which it demands. This is emphatically a government of opinion. The vigor of the laws is a moral force. The bond which unites us is in the sense of our common interest—the conviction of our equal rights—the assurance of our capacity to assert, and the feeling that we actually enjoy them. Take from any considerable portion of the American people the consciousness that they are in the full possession of their rights as freemen; substitute for it the spirit of discontent, which springs from the conviction of wrongs inflicted, not inadvertently, but with deliberation, which are not temporary, but enduring; and you array against the government a force which is of like character with that which sustains it—you awaken a feeling of resentment, which is goaded into activity by a sense of oppression, and embittered by the recollection that it is the hand of a brother which inflicts it. Such is the feeling which pervades a numerous and respectable portion of the American people. It cannot be defied, and may not be disregarded, without putting to hazard the safety of the confederacy.

Do you doubt its existence, its nature, or degree? Look to the character of this assembly—to the circumstances under which it is convened. Give your attention to the history of the past, and be admonished of the novel and extraordinary spectacle which is presented to your view. Do not close your eyes to the fact, that this assembly is altogether without parallel since the foundation of the government—that we are freemen, and the representatives of freemen who speak to you of our violated rights—that we have come from different and distant parts of the union, to join in demanding their restoration—that a consciousness of strength is the offspring of united counsels—and that our purpose is not the less firm, because it is announced to you peacefully, and in the spirit of conciliation.

A numerous and respectable portion of the American people do not merely complain that this system is unjust, but they question the right to establish it. They do not doubt—they utterly deny—the constitutional power of congress to enact it. In justice to that body, we invite your candid attention to a brief consideration of the views on this subject. The constitutional validity or invalidity of an act of congress does not necessarily depend upon the question whether the judicial department of the government would affirm the one or the other of these propositions. It may be that an act will in its operation and effect be subversive of the principles of the constitution, and yet on its face be superior to all just exception on that ground. Laterally and in terms it may be in execution of an expressly granted power—in its operation and effect it may not only transcend that power, but may directly contravene it. Under the pretence of supplying a revenue, congress may raise money beyond the purposes to which it can be legitimately applied, or may increase the duties to an amount which will be prohibitory of importation, and consequently destructive of all revenue to be derived from that source. Still such an act would purport to be in the execution of the power to lay and collect taxes; and courts of justice judging of it by its terms, and by what is apparent on its face, would not affirm its invalidity. But the constitution is equally obligatory on every department of the government—on the legislature who enacts, as well as on the judge who interprets a law. If the former shall so veil his unlawful purpose as to defend it from the security of the latter, is it less a violation of his constitutional obligation? If it be such a violation, can it be constitutionally valid?

If instead of the absence of any express grant of power to protect manufacturers, the constitution had contained an express clause of inhibition, an act of congress, imposing duties beyond the purposes of revenue, and thereby operating as a bounty on the manufacturer, would, they insist, be admitted to be in violation of the constitution, and yet the repugnance would not be manifest upon its face, and would therefore elude the judicial power.

A numerous and intelligent portion of the American people believe that this view is applicable to the tariff of 1828. They admit the power of congress to lay and collect such duties as they may deem necessary for the purposes of revenue, and within these limits so to arrange those duties as incidentally, and to that extent, to give protection to the manufacturer. They deny the right to convert what they denominate the incidental into the principal power, and transending the limits of revenue to impose an additional duty substantially and exclusively for the purpose of affording that protection. They admit that congress may countervail the regulations of a foreign power which may be hostile to our commerce, but they deny their authority permanently to prohibit all importation for the purpose of securing the home market exclusively to the domestic manufacturer, thereby destroying the commerce they were entrusted to regulate, and fostering an interest with which they have no constitutional power to interfere. That portion of our fellow citizens of whom we speak, do not therefore hesitate to affirm, that if the right to enact the tariff law of 1828 be referred to the authority to lay and collect duties, &c. it is a palpable abuse of the taxing power, which was conferred for the purpose of revenue;—if to the authority to regulate commerce, it is as obvious a perversion of that power, since it may be extended to an utter annihilation of the objects which it was intended to protect. Waving however this discussion, we concur in the opinion, that if the aggrieved party is deprived of the protection which the judicial department might otherwise afford, it would strengthen his appeal to the American people to unite with him in correcting the evil by peaceable and constitutional means.

But there is a view of this subject which may claim the concurrence of all those who are prepared to admit that the tariff is unequal in its operation, oppressive and unjust. The constitution of the United States had its origin in a spirit of compromise. Its object is the security of those rights which are committed to its protection—its principle that of an equal participation in the benefits and in the burdens of the government. A system of taxation which is unequal in its operation, which oppresses the many for the benefit of the few, is therefore unjust, not merely with reference to the great and immutable principles of right which are applicable to human conduct, but is moreover in direct collision with that constitutional equality of right, which this instrument was thus confessedly intended to secure. A distinguished jurist of Massachusetts, one who is advantageously known as such to the people of the union, has said of the system of which we complain, that it is calculated "to destroy many of the great objects for which the constitution of the United States was originally framed and adopted." Who will affirm that such a system can consist with the spirit of the constitution? Its enactments may be so veiled as to elude the judicial power, and may therefore be obligatory upon the other departments of the government—but as between constituent and agent, between the people and their rulers, the charter will in such case have been violated, and it will belong to them to correct the evil. Why should we fear to enunciate this principle? Is it because of the danger of those interests which have grown up under the system? A just consideration of the subject will lead to a directly opposite result. If it be conceded that the system is oppressive, unequal and unjust, can those who profit by it deceive themselves with the expectation of its permanency? Is it prudent to close their eyes to the consequences, to which, sooner or later, this conviction must inevitably lead? Distinguished as this system is, by every characteristic which may define a tyranny the most odious, why should we, who are its victims, not stand upon our chartered rights?

As men and brethren we appeal to you then to unite your efforts with ours in the correction of this abuse. A system which is unequal in its operation, and therefore unjust—which is oppressive, because it burdens the many for the benefit of the few—grossly, fatally, unwise and impolitic, since it is subversive of the harmony of the union—which is in violation of the principles of free government, and utterly at variance with the spirit of justice and mutual concession in which the constitu-

tion was conceived and adopted; such a system, if persevered in, must alienate our affections from each other, engender discontents and animosities, and lead inevitably, and with a force which no human power can resist, to the most awful of all calamities. We entreat those who differ from us, seriously to ponder this view of the subject. We entreat them not to misunderstand us. We cannot be altered from the discharge of our duties to ourselves and our common country by the menace of consequences, and we are equally incapable of using its language to others. It is no men and brothers—in the spirit of an affection which is still warm and undiminished, that we would call their attention to those inevitable results, which neither they nor we will have the power to avert.

Examine the subject for a moment in its connexion with the principles of an enlightened political economy, and see if the considerations which are urged to sustain this system are not fallacious and delusive. The view must be necessarily brief—consisting of hints and suggestions rather than of an extended argument, or of minute details; but our object will be attained if these may serve to awaken a spirit of dispassionate inquiry.

We are the advocates of free trade. The argument which sustains it rests upon a proposition which may not be denied. It is the unquestionable right of every individual to apply his labor and capital in the mode which he may conceive best calculated to promote his own interest. It is the interest of the public that he should so apply it. He understands better than it can be understood by the government, what will conduce to his own benefit;—and since the majority of individuals will, if properly protected, be disposed to follow their interests, such an application of their industry and capital must produce in the result the greatest amount of public good. Let it be remembered, that the question relates exclusively to the application of capital. It cannot be generally by an act of legislation. The power of the government is limited to its transfer from one employment to another. It takes from some less favored interest, what it bestows on the one which it professes to protect. It is equally untrue that such a system gives greater employment to labor. Its operation is confined to the simple change of its application. Laws which protect by bounty any peculiar species of labor, cannot be said to encourage American industry—that is, directed to various objects. These laws favor only a single class; and since the bounty is not supplied by the government, but taken from the pocket of the individual, the protection which is given to one species of labor, is so given at the expense of every other. That course of legislation, which leaves American capital and labor to the unlettered discretion of those who possess the one and apply the other, can alone be denominated the "American System."

The interference of government, with the right of the individual to apply his labor and capital in such mode as he may think most conducive to his own interest, thus necessarily operates to diminish the aggregate amount of production. In other words, the amount of the necessities and conveniences of life which are enjoyed by the community is necessarily diminished. If all nations then were willing to adopt the system of free trade for which we contend, which is accords to the spirit of Christianity and calculated to unite nations in harmony and peace, it cannot be doubted that the interest of each would be promoted. The only question which can be raised on this part of the subject is, whether the adoption of a restrictive policy by one or more nations makes it the interest of others to reciprocate those restrictions. The answer seems to be sufficiently obvious and satisfactory. The proposition which asserts the superior advantages of a free trade among all nations, rests upon the following principle. The universal freedom of action which it allows, tends most thoroughly to develop the moral and physical energies of each nation, and to apply them to those objects to which they are best adapted. The proposition must be equally true in relation to each nation, whatever may be the policy adopted by others. The nation which resorts to a restrictive policy, legislates to her own disadvantage by interfering with the natural and most profitable employment of capital. To the extent to which she thus excludes another nation

from an accustomed or from a desirable market, she occasions, it is true, in that nation also a displacement of capital from its natural channels. But can the remedy consist in a retaliatory system of legislation? in a system of further restrictions imposed by the latter nation? If it be true that a restrictive system is injurious to the nation imposing it, does it cease to be so in regard to the latter nation, because, of the wrong done by the former, and because it is also injurious to such action? When we apply these views to the corn laws of Great Britain, considered with reference to their effect upon us, it is not then obvious that a system or pretended retaliation, which entitles the productive energies of our own people, whatever may be its effect upon that nation, must necessarily increase the evils we ourselves are destined to sustain?

It is strongly urged as a motive to the continuance of the existing tariff, that its operation has been to effect a reduction of prices. These have, in fact, fallen since 1816, and our opponents contended that this has been the result of domestic competition. A moment's reflection will demonstrate the fallacy of this assertion. We present a single fact in the outset. The diminution of price has been general, as well in relation to articles which are not protected by the existing tariff of duties, as to those which are. It cannot therefore have arisen from this cause. Let us remember now that this diminution of price has occurred every where—abroad as well as at home—and not only in an equal, but as a necessary consequence of the tariff, in a greater degree there than here. Among the causes which have produced this result, two prominent ones are presented to your consideration—the diminished amount of the circulating medium of the world, and the astonishing improvements which have been introduced in the modes of production. The cost of production is less; the comparative value of money has become greater. Can we wonder at the result? Take the case of cotton goods—these have fallen in price here since the enactment of the tariff. But the same thing is true not only in an equal, but in a greater degree abroad—and the reason is obvious. The causes which have produced this result—those which have been before stated—have elsewhere been left to exert their full influence in effecting the reduction of price. Here their operation has been restrained by the conflicting influence of the tariff. The reduction therefore with us has necessarily stopped at a point, which is ascertained by adding the amount of duty to the price of the imported article. Thus the diminution of price here has not been produced by the tariff, but in despite of it—and has been retarded by it. But for this law the imported, which would take the place of the domestic article in the consumption of the country, would be obtained at a price greatly below that which we actually pay, and the difference, amounting yearly to many millions of dollars, would be saved to the community. It cannot be doubted that the prices of all commodities, the domestic production of which is forced by the imposition of a duty on a foreign article of similar description, are raised by the amount of duty necessary to effect the exclusion of the foreign article, or that it is increase of price is paid by the consumer, and that the loss to the nation which is occasioned by this system of protection, is nearly equal to such difference of price.

The success which has attended the manufacture of cottons, is used to illustrate and enforce another suggestion in favor of the tariff. It is said, that by means of the protection afforded by government, manufacturers are enabled to overcome the difficulties incident to new enterprises, and that this protection is ultimately repaid to the community, in the reduced price at which the article is furnished. We have already shown that this reduction in price in the case referred to, has not resulted from the protective system. Let us look, however, at this suggestion, apart from that consideration. If it be conceded for the purpose of the argument, and only for that purpose, that a manufacture might be established by a temporary encouragement from government, which would not otherwise, at least at that time, come into successful operation, and that the community might ultimately be repaid in the manner which is supposed, the following considerations seem decisively to repel the force of that suggestion. The idea of permanent pro-

tection is excluded by the nature of the proposition. That which is proposed is temporary merely, and the question whether it is to be ultimately repaid to the community, is of course made to depend on the successful operation of the protected establishment. It is Congress who are to determine in advance, upon the propriety of putting at hazard the interests of the community, by the forced establishment of the proposed manufacture. The question to be determined depends upon the calculation of probabilities, to the correct estimate of which, much practical information is obviously indispensable. Constituted as that body is, it is difficult to conceive of one less fitted for such reference. On the other hand, there is always enough of individual enterprise, intelligence and capital, to test any experiment which gives a fair promise of ultimate remuneration, notwithstanding it may be subject to temporary loss. Left to individual enterprise, the question would be decided by those who have every motive and every means to come to a just conclusion—while the proposed suggestion would throw upon Congress those visionary projectors, who having failed to obtain the support of discreet and intelligent capitalists, would play the sure game of securing profit, if, by the rarest accident, profit should arise, and of throwing the loss upon the community, if loss should ensue.

It is said that a dependence upon other nations, for those manufactures which are essential to our wants, is inconsistent with our character as a nation; and in this view that the tariff is essential to national independence. To us the term seems to be strangely misapplied. It is agreed that a system of free trade among all the nations of the world, by securing the application of the highest energies of each, to those objects which it was best qualified to produce, would enlarge the amount of production, and increase the sum of human comfort. But such a state of things would, according to the argument which is urged, be a state of universal dependence; and precisely the same consequence would follow in relation to the commercial intercourse of any given nation with the other nations of the world, to the extent of that intercourse, whether a system of free trade or of partial restrictions should prevail. That intercourse consists in the mutual interchange of commodities, and it is impossible to conceive the idea of a dependence on the one side, without recognising the fact of a corresponding dependence on the other. But such a state of mutual dependence is a source of gratulation rather than of regret, since it gives to each nation an increased facility for the development of its highest energies, enlarges the sum of its enjoyments, and affords the surest guarantee for the peace and harmony of the world.

If the suggestion be urged in its application to the necessities of our country during a state of war, an equally satisfactory answer may be given. It is unquestionably the duty of every government to be prepared for those conflicts with other nations, which it is not always possible to avoid; but this is most effectually done by the unrestricted exertion of its peaceful energies. In a government constituted as ours is and separated as it is by the Atlantic from the nations of the old world, it is reasonable to presume that such conflicts will be rare. The intervals of peace will probably be of much the longest duration, and our system of permanent policy should therefore be regulated chiefly with a view to this state of our national existence. But the decisive answer to this suggestion is, that money constitutes the sinews of war, and that its exigencies are best provided for by enriching the nation in time of peace. A system of free trade will mainly conduce to this object. The resources which it will furnish will second the services of the neutral trader, and these with our own internal manufactures, which are already independent of legislative protection, will amply supply our wants in such an emergency.

It is one and not the least of the evils of the system which we deprecate, that it has a tendency to demoralize our citizens, to habituate them to evasions of the laws, and to encourage the odious and detestable practice of smuggling. It is the effect of the protecting duty to raise the price of commodities considerably above that at which they could be imported at a moderate revenue duty. Unless this is so, it fails to accomplish its desti-

ed object, and is entirely useless. The inevitable consequence is, the temptation to clandestine importation, and the facilities which are afforded by our widely extended inland and ocean frontier, give impunity to the smuggler.

On the several interests of agriculture, navigation, commerce, the mechanic arts, and even on manufactures themselves, this system operates with an injurious influence. Speaking with reference to that portion of agriculture, which is employed in the production of articles which must be exported to a foreign market, it is obvious that any considerable diminution of commercial capital, by its transfer to other employments, must have a tendency to diminish their price. It is in the southern portion of the union that this will be most extensively felt. The domestic market will consume a portion of its great staple, which is, comparatively, small, and the immense residue will seek in vain for a foreign market, if the manufactures of other nations are in effect, and permanently excluded from our ports. This state of things may not at once occur.

The necessity of having a supply of the raw material for the employment of her manufactures, may induce our great customer to submit, for a time, to a system of purchase instead of exchange; but she will be urged by the strongest considerations to seek that supply from those who will receive her manufactures in return. If this system be rendered permanent, and pushed to the prohibitory extent, to which it seems inevitably to lead, the fate of the cotton planter is therefore, irrevocably sealed. Nor is he alone effected by this system of protection. The farmer of the middle states will feel its influence in the increase of the price of labor, as well as of every article which he buys; and if those in the manufacturing districts should find an improved market for the produce of their farms, the considerations just stated, will operate to diminish their profits—and the benefits which they enjoy from the increased investment of capital in their vicinity, will be purchased at the expense of those interests from which that capital has been transferred.

When we direct our attention to the influences of the protecting system on the navigation of the country, we might give to the subject a peculiar interest, by dwelling on the fact, that a ship is the proudest and most successful of our manufactures. From an early period of our history down to the present hour, we have been conspicuous for our skill in ship building. Adverting to it as an art, we have by the elegance of our models, and the minuteness of our finish, raised it from a mechanical, to one of the fine arts. We have applied the principles of a correct taste to naval architecture, and have therefore produced the same masterly result in this, as the application of the same principles had produced in the other arts. We might then with perfect fairness and propriety, press the inconsistency of that policy, which seeks the prosperity of manufactures, by loading with burthens that branch of them which has flourished with but little aid, and is necessarily subject to exclusion from the jealousy of foreign nations. We might connect this topic with our navy, and our naval glory, and thus enlist in our behalf the sensibilities of patriotism. But we waive these advantages, and without entering into details, content ourselves with adverting to the positive discouragements to ship building, occasioned by the tariff of 1828. By that tariff, iron, hemp, fluck and cordage, are subjected to duties which would be in effect prohibitory, if these articles were not of the first necessity, and their importation indispensable. The quantity of these articles which enter into the construction of a ship, with the labor bestowed on them, constitute one half of its value, and the duties upon them impose upon a new ship of five hundred tons a dry direct tax little short of two thousand dollars, which is paid in advance. We say a dry, direct tax, for it is not, as in cases of consumable articles, repaid by the consumer. Neither is it repaid by the freighter, for the rate of freight depends on foreign competition, and the foreign ship, cheap, because unburthened, settles the price.

The effects of the protecting system upon commerce in general, can only be satisfactorily illustrated by details. It is an important task, and will be faithfully performed by those to whom it is confided. The diminution of im-

ports—a total or partial scarcity of some articles—an increase of price to the consumer, a depression of the mercantile spirit which, under different circumstances, would be animated to new enterprises, and the consequent check to our attainment of that height of prosperity, to which the freedom of our institutions guides us, these are results which cannot be denied. That actual misery is not felt in a young and free country, where almost every citizen is or easily can be, a proprietor, is not an argument to deter us from the removal of those obstructions to that assured and unexampled ease and comfort of condition, to which the American citizen aspires and is entitled. If to the easy acquisition of good cheap land, he can likewise add, not only the necessities, but also the blameless luxuries of life, why should he be churlishly prevented by a sordid and monopolising system, which finds enjoyment in restriction, and profusion in prohibition?

Every class of manufactures which is not the object of the bounty of this system, as well as the mechanic arts generally, are injuriously affected by its operation—Nay, even those manufacturers, who experience this protection are themselves interested in the removal of these restrictions.—The enormity of the profits, in many instances, combined with the uncertainty of the continuance of the system, give to this employment the character of a gambling speculation, rather than that of a regular pursuit of industry. The high rate of profits would occasion a rush of capital from other pursuits, and competition would speedily reduce them to the general level, if the precarious tenure by which they are held did not restrain the movement.—Such of them as are adapted to the circumstances of the country, and conducted with the requisite skill and industry would continue to flourish although legislative protection were withdrawn. They would still give a fair return for the capital and labor which they employ. The rate of profits would indeed be less, but they would be certain, or liable only to those changes which are common to the whole productive industry of the country. It is with this view of the subject, that the best informed and most intelligent among the manufacturers themselves, cannot resist the conviction that the abandonment of the protecting system, and a return to moderate duties, would be best calculated to promote the steady growth, and the safe and permanent establishment of American manufactures.

There is a remaining suggestion which we desire to present to your consideration.—The national debt, which has annually absorbed from ten to twelve millions of revenue, is rapidly diminishing, and will speedily be extinguished. On the first day of January, 1833, the available funds of the government will be adequate to its discharge. The existing tariff of duties will produce thereafter an immense annual revenue, beyond the ordinary wants of the government, and the task of providing a system of measures which shall be adapted to this new and interesting condition of the fiscal concerns of the nation, will then devolve upon the next congress. How propitious the moment for the establishment of the principles of free trade! An enterprising and intelligent people, possessing in abundance the sources of national wealth, and perfectly unencumbered by debt, may add to their claims upon the gratitude of the world, for having successfully asserted the principles of free government, by being the first also to proclaim the principles of a free and unrestricted commerce—that genuine "American System," which will remove from our borders every vestige of discontent, give more value to the freedom, which was created from the grasp of oppression by the valor of our ancestors, and perpetuate those institutions which are destined, by the blessing of God, to secure the happiness of unborn millions.

Friday, October 7. The convention continued its deliberations. Mr. Lawrence and Mr. Cambreleng of New York, were invited within the bar of the convention.

The president announced the order of the day to be the report of the general committee.

Mr. Berrien said, there is, sir, I believe, a perfect accordance of opinion among the members of the convention as to one or two of the views presented in the address. On another part of it, there is diversity of opinion, which has reference not to the correctness or incorrectness of the arguments contained in the address, but as to the question of the expediency of inserting in the statement of the opinion held by a portion of the American people, and the principles on which it is founded.

The convention having agreed to go into committee of the whole, it is obvious that this diversity of opinion will open a wide field for discussion, and may tend to produce unpleasant results. Our desire is to produce harmony of opinion on the means of attaining our object.

There is no desire on my part to provoke unnecessary discussion. I presume that there is not a member of the convention who has not made up his mind with regard to the address. If the convention should adopt the motion which I propose to offer, out that part of it which may be objected to. I hope that the members will meet my suggestion in the amicable spirit with which it is tendered. I think that if my views should be adopted, we shall be able to agree upon instructions to the committee appointed to draw up a memorial which all the members of the convention will approve, and to bring our labors to a speedy termination. With these impressions, and in the spirit which I believe to prevail in the convention, I move that the committee of the whole be discharged from the consideration of the address.

Mr. Cheves approved of the sentiments expressed by Mr. Berrien, and hoped that the convention would set with harmony.

Mr. Gallatin concurred with Mr. Berrien. It must, he said, be taken for granted that all who approve of the tariff, believe it to be constitutional. It must be so thought however that those to who oppose it, think it unconstitutional. Every one has a right to give his own construction of the constitution. Of course there can be excitement of feeling caused by diversity of opinion. We must extend charity towards each other. On all questions there is a difference of opinion. Although I don't think the tariff unconstitutional, I must do full justice to the gentleman from Georgia, and other members of the convention, who differ from me in opinion. If there is a difference of opinion, it is to the construction of a certain article of the constitution. If we are agreed as to the policy of removing the tariff, and in the determination to unite with our fellow citizens to obtain the object which we have in view. I regret that I cannot unite with some of the members on this point as to the constitutionality of the tariff, and hope that our difference of opinion may not affect our object. As to the abstract question, whether or not the tariff is unconstitutional, or on topics of political economy, I feel but a secondary interest. My object is practical utility. Although I think that the tariff is injurious to the country, generally, yet the question merely one of policy, I would quietly yield my opinion. But although different topics of political economy may be subjected to discussion, there are questions on which all must concur.

My objection to the tariff is not only that it operates unequally, and therefore unjustly, but that it is injurious as it relates to its influence on some parts of the union. It is this which I consider as unjust, independently of its abuse of constitutional power. I know, sir, the integrity of the commercial part of this country, and the respectability of the mercantile class of our citizens.

This government is founded on the affections of the people. I would ask those who believe that the restrictive policy enriches the country, whether its benefits are to be compared with the enormous evils which it inflicts? I approve of the course suggested by the gentleman from Georgia; I think it the best mode of preventing unnecessary discussion. I propose to the convention to strike out of the address, from the words "In justice to that body," in the fourth paragraph, to the end of the eighth paragraph. I wish the address to go forth without being exposed to misconception or misconstruction. I ask the members of this convention to look at the last clause of the concluding sentence of the fourth paragraph, and say whether it is not liable to misconception.

Mr. Berrien, I understand the object of the amendment proposed by the gentleman from New York, to be, that the members may have an opportunity of expressing their opinions on the point of advertising to the suggestions which I made when I moved for the discharge of the committee of the whole, to express my individual feelings as one of the general committee, who are sensible of the magnanimity of the sentiments avowed by the gentleman from New York.

In behalf of the people whom I represent, in part, I assert that there is not a sentiment in the address, which will warrant the opinion, that there exists a feeling favorable to the severance of the union. There is not in that address a single expression consistent with reverence for the constitution, or attitude of insincerity. I cannot consent to modify what I believe to be the sincere, fire side sentiments of a people whose representative I am.

Mr. Gallatin, hoped that the names of the members who voted on the amendment would be recorded.

Mr. Cruger, of South Carolina. I feel bound, in justice to my own opinion and that of my constituents, before voting for striking out the words included in the amendment, to give my reasons for doing so. What is contained in this address is not even the medium of the opinions which prevail among my constituents, but is the very least which they would have said.

Mr. Carpenter, of Maine, objected to the tariff to be unconstitutional, and would vote for the address. He thought that those who considered the tariff as an unconstitutional measure should have an opportunity of expressing that opinion.

Mr. Gallatin was not to be drawn from his ground by the remarks of the gentlemen.

The yeas and nays were then taken on the motion to amend, and 32 voted in favor of the amendment and 149 against it.

Mr. Johnson, of South Carolina, objected to the part of the address which appeared to him to admit a principle which, if adopted would be fatal to the cause that the address was intended to support. He thought that there was an admission in the address of a power in congress to protect manufacturers. The argument, that in collecting revenue by laying import duties you

may grant protection to manufactures is not only contrary to the constitution, but a false principle in political economy. I hold it to be impossible that you can grant protection and raise revenue at the same time. Whenever the power to raise revenue is granted, the power to protect is destroyed.

Mr. Berrien. The report was framed in a spirit of compromise. I appeal to the convention if we have not realized the intention with which that report was framed. I adhere to the sentiments expressed in the address. We advance no new doctrine. We are in concert there and at home. We found our conviction on this subject, upon the inevitable connection which subsists between a principal and an incidental power. We do not assert that a power has been given in any mode by the constitution, to protect manufactures; but we do assert that there is a grant of power in the constitution to impose taxes for revenue, involving a power to protect articles on which the duty is imposed by omitting to impose it on others. There is no power to protect manufactures. With these views, I hope that the gentlemen will see the necessity of submitting the question to the convention without discussion.

After some further observations by Mr. Berrien, the question was, on his motion, taken on the adoption of the address,—yeas, 150; nays, 29. So the address, as presented by the committee, was adopted.

Mr. Berrien, to facilitate the business of the convention proposed two resolutions. The first provided for the discharge of the committee to which was entrusted the preparation of a memorial to congress. The second was for the appointment by the president of a committee to consist of one member from each state represented in the convention, to prepare a memorial to congress, and instruct the committee to collect evidence in support of the memorial, and attend personal at Washington, and urge upon the national legislature the injustice and unequal operation of the tariff.

The question was put on the first resolution, which was adopted. A member moved to amend the second resolution, by inserting the words, "and in many respects infinitely more oppressive on the poor than the rich."

The mover supported his amendment by some observations and facts, in illustration of the opinion which he asserted, and Mr. Berrien accepted it as a modification of his resolution.

Mr. Prentiss wished that that part of the resolution which required the personal attendance of the committee on congress might be stricken out. He objected to the appointment of *lobby members*.

Mr. Gallatin hoped that the amendment would not be concurred in. He did not know what was meant by the term *lobby members*. But he was willing to go, as a volunteer, to Washington, to promote the object of this convention.

A member advocated that part of the resolution objected to. Such a committee would be useful. He had known such members as the gentleman from South Carolina called *lobby members*; to be sent from the great state of New York, and even from South Carolina. De Witt Clinton and Governor Morris had acted in that capacity.

Mr. Berrien. The duty of the committee would be to collect facts to sustain the memorial. My object was, that they should attend at Washington, not exert influence on congress but to explain the operation of facts, or the statements contained in the memorial. I am willing that the committee should attend personally, or appoint a sub-committee from their body to attend on their behalf.

Mr. Cheves moved that the last resolution be referred to the general committee. The yeas and nays being required on that resolution, the yeas were 190, and the nays 2.

The resolution to appoint a committee to confer with the convention which is about to assemble on the 20th inst. at New York, was then called up.

Mr. Poindexter advocated the appointment of the committee, and hoped that conciliatory measures would be adopted.

Mr. Horner opposed the appointment of such a committee. He believed that it could have no good effect, but would rather be prejudicial to the cause. There was no ground of conciliation on which the committee could meet the New York convention.

On motion, the convention agreed to take a recess until half past four this afternoon.

At half past four in the afternoon, the convention re-assembled.

The committee appointed to confer with the Pennsylvania delegation, with reference to the payment of expenses of the convention, reported through Mr. Bassett, of Virginia. The Pennsylvania delegation had resolved to bear the entire expenses, and refused all participation of payment by other portions of the convention. It was then unanimously resolved, on motion of Mr. Bassett, that this convention express their deep sense of the obligation they are under to the Philadelphia delegation, and tender their most cordial and sincere acknowledgements for their kind attention and liberal accommodations.

It was also resolved, that a committee from each state be constituted, to have a certain number of the proceedings of the convention circulated among their respective constituents.

The president here observed that the unfinished business of the morning, was the resolution providing a committee of six to wait upon the tariff convention about to assemble in New York, which had already been submitted to the convention.

A motion was made that that resolution be indefinitely postponed.

Mr. Parsons, of Alabama, said he was disposed to vote against the resolution, but he desired to see it treated with proper consideration and deference, and he hoped the resolution to postpone indefinitely would be withdrawn. It was not withdrawn, and Mr.

Poindexter, of Mississippi, demanded the yeas and nays upon the question, when it appeared that 122 gentlemen voted for the postponement, and 39 against it.

The following resolutions were then offered:

Resolved, That a vote of thanks be presented to the citizens of Philadelphia, for the courtesy and hospitality manifested towards the members of this convention.

Resolved, That the thanks of this convention be presented to Coudy Raguet, esq. for the faithful and zealous manner in which he has performed the arduous duties of secretary of this convention, and that the members of this body judge themselves to recommend his paper, the Banner of the Constitution, to their constituents, as every way entitled to their patronage.

The first resolution was carried unanimously. Mr. Leonard, of New York, offered an amendment to the second, to the effect, that every member of the convention go forward, subscribe to, and pay in advance for, Mr. Raguet's paper. The resolution as amended was unanimously and cheerfully acceded to.

The secretary of the convention here read the names of the committee to draft an address to congress and urge the attention of that body to its demands.

On motion of Judge Barbour, Mr. Gallatin was appointed chairman of that committee.

It was then, resolved, That the letter of Mr. Sarchett, that of Mr. Ronaldson, and other documents that had been committed to the table; be referred to the committee to address congress.

Mr. Sedgewick, of Massachusetts, offered the following resolution, which was unanimously adopted:

Resolved, That we tender to the president of this convention our warmest thanks for the able, zealous and impartial manner in which he has discharged the responsible duties of presiding officer of this body.

Judge Barbour here rose, and in a brief, appropriate, and eloquent speech, one of the happiest efforts that we ever remember, returned his thanks to the convention for their approbatory resolution, and expressed his deep gratification at the harmony which had prevailed throughout the deliberations of that body, and his confident hope that their appeals and deliberations would not be idle to their cause, nor lost upon the American people.

On motion, the convention then adjourned sine die.

NEW PROOF

Of Mr. Calhoun's efforts to undermine the president, as early as the first year of his administration.

From "the Globe," of October 7.

A recent controversy between governor Miller, now senator of the United States, and Alexander Speer, controller general of South Carolina, has brought to light a letter, which fully develops Mr. Calhoun's enmity to the president at a time when the whole country looked to him as one identified with the administration, and a devoted friend to him who stood at its head.

It seems that Mr. Speer has, by a publication in the South Carolina papers, in some way brought into question the consistency of governor Miller's course towards the administration of general Jackson. The governor intimates that his feelings had undergone some change, and then says:

"If my confidence in the administration has been weakened, you will readily conceive how far the subject of emigration to Mr. Speer, was likely to produce that effect. This gentleman is the author of a pamphlet, in which my opinions on the subject of emigration are referred to. Mr. Speer was employed by the legislature to proceed to Washington, and lay before general Jackson a claim which this state had on the United States for about two hundred thousand dollars, for military advances made during the late war, and endeavor to engage the president to use his influence with congress to pay the claim. The following is the letter of Mr. Speer:

MR. SPEER'S LETTER.

Washington, 31st Dec. 1829.

"Dear sir—I had at first intended to write to you earlier, but finally concluded to wait, to have something more definitive in my note when I should arrive. On the first day after my arrival in this place, accompanied by our two senators, I waited on the president, for the purpose of laying before him your excellency's letter, as well as the documents in relation to our claim. From the interview, I thought I was warranted in auguring the most favorable circumstances; and, indeed, the observations of the president were as satisfactory as I could have wished, and so much so as to induce gen. Hayne, on our quitting the house, to congratulate me on our reception. After waiting several days, in order to give the president an opportunity of examining the papers, I called again, for the purpose of ascertaining if any thing was deficient, and if so, to endeavor to supply it. I sent in my request, with a request to see the president for a few moments. After waiting two hours, I left the house, and learned at the door as I departed, that his excellency had left the house, and gone to the war office. I now began to think the path was not so clear, particularly from some other omens. I had already enlisted all our members of congress in the matter, and also the vice president, and had requested them, in any interview they might have with the president, to endeavor to bring up, incidentally, this claim, and to ascertain what he intended to do in the matter.

"It was Mr. Calhoun's fortune to meet him first, and the subject was broached, when the president appeared to be averse to the whole claim. In the first place, instead of examining the question himself, he, as it appears, referred the whole matter to the secretary of war, and was waiting for his report; but, in the mean time, that there might be no delay, (I suppose), had made up his mind against us before he examined the subject. And now for his reasons: They were various—not one of which had

'any thing to do with the merits of the claim? First, the payment of South Carolina would induce the payment of Massachusetts; and this circumstance was a prominent objection to the payment of our state. Again, the payment of South Carolina would be the means of deferring the discharge of the national debt! Yes, sir, it is even true "the national debt!" Again, the payment of the claim would be a violation of the established usage of the government and laws of the land! When driven from all these positions, as perfectly untenable, he settled down to certain unflinching objections to the claim, which could not be combated, because they could not be seen.

"Now, sir, I have no doubt you are very much surprised at all this; and, indeed, but for a clue to the secret, it would be surprising to every body. When the papers were left with the general, he expressed himself so clear on the subject, that we thought the matter all settled, and would have been so, but for, as I verily believe, the influence of the secretary of war. It would exceed the limits of a letter to state the situation of this gentleman, and of his— at this place. The terms of severity are more powerful than the authority of the executive, backed by the secretary of state—and gen. E. and family are living alone in the city of Washington. The delegation from our state, and others, have rendered themselves obnoxious by not calling; and the president appears determined to sink or swim with his biographer. But there are other matters of more fearful import to this individual, in relation to his office, that are whispered here, and will no doubt soon blow out. But enough. I am acting under the direction of our two senators, and shall immediately withdraw my papers from the executive, and proceed by memorial, and only regret I did not do it sooner. Our word in relation to the tariff? There is not the least hope of a change for the better; and as to the executive, but not only against us in the matter, but common conversation verily ensures the whole proceeding of our state. Your most obedient, ALEXANDER SPEER.

"P. S. I have written this letter under the influence of mortified feelings, and it there is any observations in it that may appear harsh, I hope you will excuse it. This opinion will, I think, show South Carolina that the terms on a broken reed if she depends on any friendship here, in relation to those great interests which 'much agitate our country'.

From this letter it will be seen that Mr. Speer, when he waited on the president, in company with Mr. Hayne, found his disposition towards the South Carolina claim such as warranted the most favorable augury as to the result of his mission. He says, "the observations of the president were as satisfactory as he could have wished." Mr. Speer then enlisted in favor of the claim the vice president and the members of congress from South Carolina; and it seems that Mr. Speer, failing to obtain a second interview with the president himself, learned the fate of his errand through Mr. Calhoun, "whose fortune it was to meet the president first," and on breaking the subject to ascertain his determination— Mr. Calhoun informed Mr. Speer—

'That the president appeared wholly adverse to the claim.'

'That he had referred the whole matter to the secretary of war, and was waiting for his report.'

'That in the mean time he had made up his mind against us (the South Carolina) before he examined the subject.'

'That his (the president's) reasons were various, not one of which had any thing to do with the claim.'

'They were that "the payment of South Carolina would induce the payment of Massachusetts."

'That "the payment of South Carolina would be the means of deferring the discharge of the national debt."

'That "the payment of the claim would be a violation of the established usage of the government and the laws of the land."

It seems from Mr. Calhoun's account of Mr. Speer, that "the president was driven from all these positions as perfectly untenable"—and who, we may ask, could maintain an untenable position against the powerful logic of the vice president! The president was driven from his positions; and then, to cover his premeditated injustice, we are told "settled down to certain inflexible objections to the claim, which could not be combated, because they could not be seen."

If the account here rendered by Mr. Calhoun to South Carolina, through her agent at Washington, and her governor at home, were true, the president certainly deserved to lose the favor of his native state. South Carolina had, with devoted patriotism, contributed her whole strength to the service of the country throughout the war—depending almost entirely on a foreign market for the sale of her produce, and supplying her own wants by purchasing from the non-resident, the obstruction of her commerce was peculiarly trying; yet her ardent love of country made every sacrifice on her part tolerable. After the war was over, she still bore up under the taxes necessary to extinguish the national debt—and on the election of her favorite sons, the one to the presidency, the other to the vice presidency, she only sought to bring the claim (her claim for advances during the war) to the view of the president of the United States through the agent instructed to proceed to Washington with the claim, so as to procure from him a special message on the subject, in that an act of congress be passed, authorizing a settlement of the demands of this state on equitable grounds. This is the language of the instructions to S. Carolina to her agent, which were given to him on the 15th December, and he repaired to Washington, it would seem at first to be authorized by the president; and at last, on the 31st of the same month, to transmit to the governor Mr. Calhoun's account of the insulting subterfuges by which the president disappointed all the hopes of his mission. We are not astonished that the governor should not say "that his confidence in the administration had been weakened" by such a representation, and coming from so high a source. Nothing could be better calculated to take from the president the respect of the functionaries to whom

South Carolina had committed her interests, nor to alienate the affections of the whole people of the south. Even Massachusetts had deep cause of complaint, if a design to prevent the allowance of her own just claims had been urged as a reason for defeating those of South Carolina.

Mr. Speer in his letter gives evidence of his chagrin and disappointment. He anticipates that gov. Miller would also be very much surprised—and he says, "but for a clue to the secret, it would be surprising to every body." He repeats, that "when the papers were left with the general he expressed himself so clear on the subject that he thought the matter all settled." Mr. Speer makes a statement in Washington, and that he should have made inquiry to find a clue, to explain to him the sudden change in the president's intentions, as communicated by Mr. Calhoun, is quite natural. Mr. Calhoun, it appears, was at no loss in suggesting the influence which operated so powerfully on the president's mind as to induce him to sacrifice the just rights of his own native state—the state which delighted to honor him, and felt honored herself in seeing him elevated to the chief magistracy of the nation. The influence to which Mr. Calhoun ascribed the disappointment of Mr. Speer was the same which he afterwards pointed out to his friends, particularly those in the cabinet and the editor of the 'Tel-graph,' as the object of attack. "The influence of the secretary of war," we are distinctly told, defeated the hopes of South Carolina, and we are not left to conjecture as to the motive which operated on him. Mr. Speer is informed that "the situation of this gentleman and his— at this place." [Washington] was the cause of the failure of his mission.

He was told "that the delegation from (his) state [South Carolina] and others had rendered themselves obnoxious by not calling" on the president and family.

That the president appeared "determined to sink or swim with his biographer."

But that "the forms of severity were more powerful than the authority of the executive, backed by the secretary of state and gen. Eaton and family are living alone in the city of Washington."

This explanation, it will be seen, resolves the loss of the South Carolina claim into the prejudice excited against them, in consequence of the delegation of that state rendering itself obnoxious by not calling on major Eaton and family, thus delaying "the authority of the executive, backed by the secretary of state."

We have marked these points distinctly, that the public may see with what precision Mr. Calhoun had, at that early day of the administration, selected the objects of his attack, and the mode he had chosen to present it, so as to reach the president and Mr. Van Buren through maj. Eaton. The same mode of attack was prosecuted by Mr. Calhoun and his organ upon the publication of his correspondence, and it has been persistently followed up since by Messrs. Hughes, Branch and Brannen. This first attempt made by Mr. Calhoun himself, through Mr. Speer, it is now evident made a deep impression on the government of South Carolina, and was calculated to make the impression throughout the state; that the president was under a "malign influence," and ready to sacrifice justice, consistency, and gratitude, to the malignant feelings of his odious favorites.

What will the people of South Carolina think of the author of the artifice employed when they learn that it is entirely untrue a fabrication which received very important fact as they stand recorded on the archives of the senate.

We will give a succinct narrative of the facts in the case, which will be found sustained in every particular by the documents annexed.

On the 15th December, 1829, Mr. Speer received his credentials from his state to the South Carolina legislature, and a signed letter from the governor, requesting for the state "the friendly consideration of this claim by the president, and his recommendation to congress for its payment, should it comport with his views of justice."

Mr. Speer arrived in Washington about the commencement of the Christmas holidays, and on the day after his arrival had a personal interview with the president, "suggesting the most favorable circumstances." "The president expressed himself so clear upon the subject" (to Mr. Speer), that "he thought the matter settled."

In the spirit thus manifested by the president he immediately went to work to investigate the claims of South Carolina, that he might have the pleasure of doing justice with the utmost promptitude to the long deferred rights of the state.

On the 26th of December, Mr. Hagner, third auditor, acknowledges the receipt of the documents, in all likelihood the same day on which the president received them from Mr. Speer. These documents were received through the secretary of war with a note from him to Mr. Hagner, "inquiring [whether his] office afforded any information as to the nature and particulars of the claim."

On the 25th of December, Mr. Hagner replied and furnished statements "setting forth in detail the deductions made on the settlement of the accounts of the state (of South Carolina) which form the basis of the claim."

Mr. Hagner, it will be seen, in the same note refers to the documents "to show the causes of the deductions," and he expressly states that the claims were excluded (with the exception of interest) in the adjustment of the accounts made by him, if under the supervision of Mr. Calhoun. He says:

"The settlement was made according to the rules applied to other similar accounts with regard to all important items, in conformity with the directions issued, BY THE VICE PRESIDENT, THEN SECRETARY OF WAR."

This report, dated the 28th of December, had probably, in the interim between that and the 31st, come to the knowledge of Mr. Calhoun, and in his conversation with the president, having allusion to the former settlement of the claims under his own au-

thority, he formed the conclusion that his decision would prove an appeal to the president's recommendation of the claims of South Carolina to congress—and it suited Mr. Calhoun's interests to ascribe the failure of the application of the governor and legislature to the "malign influence" of major Eaton and the secretary of state, rather than to impute it to his own decision with regard to the claims, when secretary at war, and the principles then established by himself. Accordingly, Mr. Calhoun gave the agent of South Carolina the account which we find reported in his letter of the 31st of December to the governor.

But Mr. Calhoun, it now appears, reckoned falsely as to the influence of his decision, when secretary of war, against the claim of South Carolina. The president and the new secretary of war determined to look beyond Mr. Calhoun's settlement, and go back into the merits of the claim.

On the 2nd of Jan. two days after Mr. Speer's private despatch was sent to the governor, major Eaton made a report to the president, in favor of allowing the claim, on the principles contended for by South Carolina.

The strict letter of the law gave the states interest on moneys advanced for the general government, only where the states paid interest. South Carolina had sold her bank stocks, which brought interest, to make advances, and although the last interest she paid none. This was the foundation of her equitable claim for this item. Major Eaton, so far from availing himself of the strict letter of the statute to bar the claim, thus recommends it to the president, with a view to have the claim legislated by congress:

"I can perceive no material difference in according interest to the state, on account of moneys borrowed for the use of the government, and where the advances were from the bank of a state, the funds being the property of the state."

Another principal item in the claim was for arms purchased by the state, which had been admitted, and a willingness to satisfy the state by an equivalent in kind from the United States' armories expended. Of this major Eaton says:

"South Carolina, however, has objected to the tender, and requested that her demand shall be met in money, and not in arms. To this there could be no objection, if there were funds within the control of the department applicable to such a purpose."

With these special recommendations, major Eaton referred the president to the settlement made by the third auditor and Mr. Calhoun, for the cause of the rejection, on their part, of the minor items of the claim.

The president, as will be seen by his message of the 4th of Jan. written two days after the report to him, presents the subject to the Senate of the United States. After explaining the request of South Carolina and the duty imposed on him, he says:

"This duty I perform with the greatest pleasure, being well satisfied that no inducement will be waiting to secure to the claims of a member of the confederacy, that has under all circumstances shown an ardent devotion to the cause of the country, the most ample justice."

After presenting the same favorable view of the principal demands of South Carolina, when secretary of war, the president thus recommends the whole claim to the kind consideration of congress; he says:

"Acting upon an enlightened sense of national justice and gratitude, it is confidently believed that congress will be as mindful of this claim, as it has been of others put forward by the states, that, in periods of extreme peril, generously contributed to the service of the union, and enabled the general government to discharge its obligations."

Thus, in less than twenty days after the governor and legislature had acted on the subject of the claim, in South Carolina, did the president comply with their utmost expectations, by urging it on the attention and invoking the "justice and gratitude" of congress in its favor. In conformity with the president's wishes, on the 11th January, the matter was taken up by the military committee in congress, which concluded their report on the subject as follows:—

"As the committee are of opinion that relief ought to be granted, they therefore reported a bill."

The bill, as a matter of course, was passed to a second reading, and there the claim was dropped.

Will not the public enquire why southern eloquence remained silent, and has permitted this equitable and honorable claim of South Carolina to lie in the house unattended up to this hour? The claim of Massachusetts, which it was precluded the president was unwilling to provide a precedent for, has since passed congress, and received the sanction of the executive. It is not astonishing that this circumstance did not put the representatives of South Carolina in mind of the rights of the state! There must be some strong reason for this strange neglect.

We have no inclination to indulge conjecture upon this subject, but the history of the case suggests the idea, that Mr. Calhoun had an interest in consigning the whole subject to oblivion. His whole story of the president's hostility to the claim, and of the loss of favor by the southern delegation, through the Eaton and an Aaron Burien, would have been exposed by the success of the claim. To keep up discontent in the south, it was necessary that her honest claims should be urged on the executive and congress, and that the people should understand that their applications were neglected or, what is worse, vetoed, because their high-minded representatives would not stoop to obtain their claims from the favor of the wife of the secretary of war! It was necessary, too, for a particular interest, that the closing sentence of Mr. Speer's letter to the governor should have some countenance, and that those concerned might be enabled to impute the belief that the president was averse to the whole interests of the south. This sentence which is emphasized in the original, is, we think, a clue to the fabrication which was imposed on governor Miller. Mr. Speer says:

"One word as to the tariff: There is not the least hope of a change for the better; and, as for the executive, he is not only against us in the matter, but in common conversation severely censures the whole proceeding of our state."

MESSAGE:

From the president of the United States, communicating documents from the legislature of South Carolina, relating to the claim of that state for advances made during the late war. To the senate of the United States.

I have been requested by the legislature of South Carolina, as will appear from the documents accompanying this communication, to submit to the consideration of congress, certain claims against the United States, for advances made by that state during the late war. It is conceived, that the redress sought for, can only be obtained through the interposition of congress. The only agency allowed to me, in to present such facts in relation to the subject as are in the possession of the executive, in order that the whole may be fairly considered.

This duty I perform with great pleasure, being well satisfied, that no inducement will be waiting to secure to the claims of a member of the confederacy, that has, under all circumstances, shown an ardent devotion to the cause of the country, the most ample justice.

By a reference to the department of war, for information as to the nature and extent of these claims, it appears that they consist of—

1st. Interest on moneys advanced for the United States, which have been heretofore reimbursed.

2d. Certain advances, which, on a settlement of accounts between South Carolina and the United States, were disallowed, or suspended, by the accounting officers of the treasury.

In regard to the former, the rule hitherto adopted by congress, has been, to allow to the states interest only where they had paid it on money borrowed, and had applied it to the use of the United States. The case of South Carolina does not come strictly within this rule, because, instead of borrowing, as the others, for the use of the United States, upon interest, she actually received of the United States funds for which she was actually receiving an interest; and she is understood to insist, that the sum of interest in both cases being equal, and the relief afforded equally meritorious, the same principle of remuneration should be applied.

Acting upon an enlightened sense of national justice and gratitude, it is confidently believed that congress will be as mindful of this claim, as it has been of others put forward by the states, that, in periods of extreme peril, generously contributed to the service of the union, and enabled the general government to discharge its obligations. The grounds upon which certain portions of it have been suspended, or rejected, will appear from the communications of the secretary of war, and third auditor, herewith submitted.

ANDREW JACKSON.

January 4th, 1830.

Executive department, Columbia, 15th December, 1829.

My dear sir: The state of South Carolina has a claim against the United States, for advances made during the late war. I have been directed by resolution of the legislature, to request the friendly consideration of this claim, by the president and his recommendation to congress, for its payment, should it compare with his views of justice.

Alexander Speer, esq. our principal fiscal officer, is constituted a special agent, to attend at Washington, and superintend the investigation incident thereto, to whom you are referred for information.

It cannot have escaped your recollection, how imminent was the danger of the whole southern country, during the late war, when the British fleet hovered on the coast after the capture of Washington. The United States were under the most solemn and constitutional obligation to protect this state, which they were unable to do, and left us to our own resources. In the liquidation of advances made by us, interest was withheld, and many items rejected, on account of their informality. The immense sacrifice which is made to the general government, during peace, for protection during war, ought to induce a liberal course on the part of that government, which omitted to do what the constitution enjoined upon it.

It was entirely uncertain for some time, whether Charleston, or Savannah, or New Orleans, should be the object of the attack of the British, when they left the Chesapeake. That a deep solitude should have been left, and the most energetic means devised, by South Carolina, in this crisis, was to have been expected; but that the accounts of this state should be subject to such a rule as would exclude many bona fide intelligent expenses, could not be rationally anticipated. To your own knowledge of the difficulties, as well as to a sense of justice, and pledged faith of the federal government, we appeal for a prompt and final liquidation of the balance still due. With great consideration, I am, dear sir, your most obedient,

SIEPHEN D. MILLER.

His excellency Andrew Jackson, president of the United States.

IN THE HOUSE OF REPRESENTATIVES.

December 1st 1829.

The special committee, to whom was referred that part of the governor's message, upon the claims of this state, for moneys advanced to the general government during the late war, together with the comptroller general's report on the same subject, have had the same under consideration, and beg leave to report; that your committee have examined the state of the documents against the general government, and are of opinion that the same is just, fair and equitable, and that it is necessary that the same should be presented as speedily as possible, and that Alexander Speer, now comptroller general, be authorized and directed to proceed to Washington on this business. Your committee are of opinion,

that it is desirable that the executive of the state bring this claim to the view of the president of the United States, through the agent instructed to proceed to Washington with the claim, so as to procure from him a special message on the subject, so that an act of congress be passed, authorising a settlement of the demands of this state on equitable grounds, and to this end the committee are of opinion the constant attention of our agent will be necessary.

Your committee recommend the adoption of the following resolutions:

1. *Resolved*, That A. Speer, now comptroller general, proceed forthwith to Washington, to prosecute the demands of this state against the general government.

2. *Resolved*, That A. Speer, now comptroller general, be allowed one thousand dollars for his services, and in lieu of all expenses in prosecuting the claims of this state, and that the same be paid him out of the contingent fund by the governor.

3. *Resolved*, That the governor be requested to communicate, through the agent, with the president of the United States, so as to procure from him a special message to congress on the correctness of the said claim.

I do hereby certify, that the foregoing is a true copy of the original report, considered and agreed to in the house of representatives, and concurred in by the senate, and of file in my office.

R. ANDERSON,
Clerk of the house of representatives.

December 15, 1829.

His department, 2d January, 1830.

Sir: The application for the state of South Carolina which has been referred by you to this department, has been considered, and the papers are returned.

I can perceive no material difference in according interest to a state, on account of money borrowed for the use of the government, and where the advances were from a bank of the state, the funds being the property of the state. The objection, however, consists in this: that on no occasion has congress gone farther, it is believed, than to authorize the payment of interest on funds actually procured, and where the state had paid it, or incurred a liability to pay it. Thus for the principle has been admitted in legislation, and it is for congress to determine if it shall proceed further. Apart from this, the other claims presented for settlement consists of various items which will be rejected or suspended for reasons which will be found detailed in the report of the third auditor which accompanies this communication; and by two reports of committees in the senate and house of representatives, made at the first session of the twentieth congress.

That part of the account which relates to arms supplied by the state, has heretofore been admitted, and an offer made to restore them from our armories. South Carolina, however, has objected to the tender, and requested that her demand shall be met in money, and not with arms. To this, there could be no objection, if there were funds within the control of the department applicable to such a purpose. The amount annually appropriated by congress for making arms, and thereby to supply the militia, would seem to make it an immaterial matter to the government whether this admitted demand was satisfied with arms or money. But as there are no funds applicable to such an object, legislation becomes necessary. Very respectfully,
J. H. EATON,
The president of the United States.

Treasury department, 3d auditor's office, 28th December, 1830.

Sir: I have the honor to acknowledge the receipt, this morning, of your note of the 26th instant, enclosing certain documents respecting the claim of the state of South Carolina, and inquiring whether this office affords any information as to the nature and the particulars of the claim.

In reply, I have to observe that the printed book, being one of the documents before mentioned, contains copies of statements, furnished from this office, setting forth, in detail, the deductions made on settlement of the accounts of the state in this office, which form the basis of the claims, (except so far as concerns interest), and also the causes for those deductions. The settlement was made agreeably to the rules applied to other similar accounts, and with regard to all the important items, in conformity with decisions thereon by the vice president, then secretary of war. The statements referred to commence at page 36, and end at page 72; and in following pages will be found a copy of the account, as settled at this office.

As the report of the committee of claims of the house of representatives on this subject presents a view of the case different from that exhibited by the report of the military committee of the senate, contained in the book before alluded to, I take the liberty of referring you thereto. It may be seen in vol. 4, 1st session 20th congress, No. 246. The papers are returned. With great respect, your most obedient servant,

PETER HAGNER, auditor.

The hon. John H. Eaton, secretary of war.

MESSRS. BRANCH AND EATON.

From the Raleigh Register, October 6.

Gov. Branch, late secretary of the navy, passed through this city on Tuesday last, on his way to Tennessee. He called upon us to request the publication of the subjoined correspondence, for the purpose of showing that he has been unfairly dealt with, in maj. Eaton's late publication. In that appeal, with a view of convicting gov. Branch of a mean, truckling, subserviency and of feigning a resentment which he did not feel, maj. Eaton introduces a note from the governor to the president of the U. States, in which he expresses himself in terms of great friendship and respect. This note is made to bear date on the 29th January, two days subsequent to the famous communication made to governor Branch and his associates,

Messrs. Berrien and Ingham, through the instrumentality of col. Johnson, and presents the governor in the attitude of being mean enough to profess the most ardent friendship for the president, two days after that officer had offered him so indignity which no independent man would brook. This was well calculated to depress governor Branch in the estimation of high minded men, and we feel a high degree of gratification therefore, in being able to furnish incontrovertible proof, at the following note, &c., that the correspondence between him and the president occurred before, instead of after the communication from colonel Johnson, and therefore destroys completely the foundation upon which major Eaton has raised his superstructure. It remains for major Eaton to explain how the date of governor Branch's note was altered from the 27th to the 29th January, that an alteration was made, either intentionally or through mistake, in as plain a demonstration itself, and whether the result of the one or the other, it has given Mr. Eaton a momentary triumph which this explanation must counteract.

On the 20th of January, the president of the United States, addressed the following note to governor Branch:

January 20th, 1830.

"The president with his respects to governor Branch has the pleasure to inform him that he has seen major Eaton and he has authorized the president to say to him that he will with pleasure have a friendly interview with governor Branch in the presence of major Barry whenever it may suit governor Branch and his convenience—the president communicates this wish, with much pleasure as he hopes all misunderstanding will be explained."

To this note, governor Branch returned the following answer, bringing the same as is introduced by Mr. Eaton, except that the true date should be the 27th of January, instead of the 29th, as represented by him:

Naval department, Jan. 27, 1830.

"Dear sir: I have received your note of yesterday's date, and do most cheerfully accept your friendly meditation; more, however, from a desire to give you an additional evidence of the friendly feelings which have actuated my bosom towards yourself, than from a consciousness of having given to major Eaton just cause for the withdrawal of his friendship. As a further manifestation of the frankness which I trust will ever characterize my conduct, I agree to meet him this day at two o'clock, in the presence of major Barry, at Mr. Vao Buren's, and in his presence also.

Yours truly, JOHN BRANCH.

To the president of the United States."

On the same day, the 27th of January, Mr. Eaton addressed the following note to gov. Branch, showing conclusively, from its date, that it was on the 27th and not the 29th, that gov. Branch replied to the president:

27th January, 1830.

It will not be in my power to accord to day to the suggestion of your note to the president I will advise you of the time when I shall be able to do so. Respectfully,
J. H. EATON.

On the next day, Mr. Eaton addressed the subjoined note to gov. Branch, which shows from its date, that it could not have been the 29th upon which he addressed his note to the president:

January 30th, 1830.

Sir: major Barry will be at my office presently who may be present if you have no objection to the interview proposed, and which may take place at your room or my own as you may prefer. I will come over or you can come here.
J. H. EATON."

To this note, Mr. Branch replied that he would meet major Eaton in the office of the attorney general, in the presence of major Barry and the attorney general, and the meeting accordingly took place in a few moments thereafter, as will be seen from the following hasty note from Mr. Eaton to the governor:

"Mr. Berrien is in his room, if you will walk over. I have no objection.
J. H. E."

There having been some discussion in the Georgia papers, on the subject of the sentiments of Wilson Lumpkin, the candidate for the office of governor of Georgia, in reference to general Jackson. Since the controversy between general Jackson and Mr. Calhoun, in which Mr. Lumpkin took a part, we give the following conclusive letter on the subject, which we find in the *Milledgeville Union*.

Monroe, 19th September, 1831.

Gentlemen: A report has reached me this morning, that a political combination, who undertake to dictate to the people of Georgia, and prostrate the fair standing of every man who refuses to yield to their mandates, have a new arrangement in preparation to misrepresent and do me great injustice. The story is, they are attempting to make it appear that I am unfriendly to gen. Jackson—and that I am united with Mr. Calhoun against him. If they are thus engaged, it completes the infamy and disgraces of a combination of most daring office seekers, that ever existed in a civilized community.

You know that I speak the truth when I affirm, that, from the commencement of the disagreement between the president and vice president, to the present moment, I have uniformly, in private and public, said, we must sustain Jackson; the interest of Georgia and the union will be best promoted by his re-election.

My friends and foes know that I have been faithful in my support of the president. He knows it. Mr. Calhoun knows it. How can he, then, revile the reviler of Jackson—his enemies—his friends—selfish friends—now rise up, and expect to profit by pushing me out of my own stand, and placing themselves in my tracks?

They must presume upon the ignorance of the people. I rely upon their virtue and intelligence. Respectfully yours,

WILSON LUMPKIN.

Messrs. Polhill & Cuthbert, Milledgeville, Geo.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 8—Vol. V.

BALTIMORE, OCT. 22, 1831.

[Vol. XLI. Whole No. 1,049]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The editor, having been appointed one of the delegates from the city of Baltimore to the convention of agriculturalists, mechanics, manufacturers and others, favorable to the protection of the national industry, to be held at New York on the 26th instant—will, of course, be absent at the period of the next publication of the REGISTER, and, probably, for some days thereafter. He has, therefore, given up more than an usual proportion of the present sheet to the insertion of articles from manuscript, deferring much stock-copy as more convenient for use in his absence; and, that the *lee-way* may be brought up and certain interesting papers be inserted with reasonable promptitude, he has arranged the issue of a supplement, to get-in the fifth annual report of the Baltimore and Ohio rail road company, the anti-masonic address, and several other long articles which must be published and preserved in this work; and, having now disposed of the chief proceedings of the "Free Trade convention," he must make room for those of the Protecting Convention, about to meet at New York. In a fair and just presentation of the doings of opposing parties, the public intelligence will be best served.

☞ We do not esteem it useful to offer many remarks on the proceedings and address of the late "free trade convention," at present. They will, no doubt, be taken up by other hands at New York in the ensuing week, and differing views be presented to the consideration of the American people.

We have to regret, however, that the proceedings and address have an *imperative* or *menacing* character—that *modifications* of the tariff laws are thrown out of the question, and nothing but "UNCONDITIONAL SUBMISSION" is offered us! The *principle of protection*, under which our government has acted from the beginning until the present day, must be yielded to new readings of the constitution, and a vast majority of the people give way to a small minority—because the latter wills it!

We hope that the friends of the tariff about to meet in convention at New York, will not be excited because of these unreasonable doings—but proceed in the business that shall present itself for their action just as if the "free trade" convention had never been held; and, though resolute in defence of their principles, and conscious of power to protect their interests, we desire that all moderation may be observed, as no doubt it will, and the reason of the people be calmly appealed to, for the support of such laws as every civilized nation under heaven has felt it *necessary* to enact, that its population, and wealth and strength might be advanced and secured.

Very large meetings of the people have been held in Boston, New York, Philadelphia, Baltimore, &c., and in many of the smaller towns or counties of numerous states, to appoint delegates to the New York convention, at some of which very able resolutions were passed—but room has not been allowed to notice them at length. At the Baltimore meeting, held last Saturday evening, in the great hall of the Exchange, we are pretty confident that more persons were present than at *all* the anti-tariff meetings held to appoint delegates to the "free trade convention," those at Charleston alone excepted—which were numerous, because of the high excitement of *political* parties. Not many of the anti-tariff meetings contained so many as twenty persons—some of only five or six; the meetings in Philadelphia and Baltimore, on that side of the question, were attended by only 31 persons; but those on the other side by at least three thousand—the bone and the sinew of these great cities—a full representation both of *capital* and *production*.

VOL. XLI.—No. 11.

☞ We present some further accounts of the proceedings of the "free trade convention," (received since our last), and believe that a sufficiently full, and certainly, fair *history* of the proceedings of that meeting is now given, except a roll of the members with their places of residence, which shall be inserted as necessary to a right understanding of the constitution of the meeting. We wish that the same courtesy may be extended to the convention just about to be held at New York—by the editors of "free trade" papers.

☞ The "Richmond Whig," after copying the article from the last "Register," which gave the names of some distinguished individuals who had declared the constitutionality of a protecting tariff, says—

"It is in the memory of many of our citizens, that in 1808, the time referred to by the Register, it was rank federalism in Virginia to wear any other than domestic manufactures. Every importer or consumer of foreign goods then was no better than a tory. Now how changed! Those were the palmy days of the ancient dominion. The revolutionary leaven had not yet entirely evaporated. Now we are ready to sell our birthright for a mess of pottage, and bow at the footstool of foreign manufacturers; our anger, our complaints, our indignation, all, all, are reserved for our brethren of the North, the *Yankees*—on whom, reluctantly enough, was forced the protecting system, by the south, the east, and the middle states.

"We will try to procure the file of the Enquirer, and if we can find the 4th of July celebration referred to, will publish it."

The last paragraph relates to the exhibition of a home-made shirt, by a governor of Virginia, on the 4th of July.

What the "Whig" says is true. It was "rank federalism" to doubt the propriety of protecting domestic manufactures in 1808. And this calls up the recollection of a fact,—that John Randolph, being about this time "a nuisance and a curse," declared his utter rejection of American manufactures, because the use of them was considered "*pat-iotic*." And every body, old enough to turn their memory back to the period spoken of—from 1808 to 1812, must well remember that John Randolph was then regarded as an apostate—totally separated from, and universally despised by, "the republican party."

☞ It is generally believed that the ensuing session of congress will be the most interesting and *exciting*, if not the most important in its results, of any that has been held for several years. It will contain, at least, four parties—and how they will work together, or against one another, in "*compromise*" or "*combination*," by the huge of "*reward*," or fear of "*punishment*"—no human being can tell; not even Mr. Thomas Ritchie!—though a "*momentous crisis*" is certainly at hand—Mr. Randolph having arrived last week at New York, from a ten days residence at the capital of the autocrat of the north.

☞ I have received a copy of the "Liberator," and come in for a share of the editor's reproof for having said, that "*a sudden emancipation of the slaves, either by force or through principle*," would be an awful calamity. I shall not argue the right of my opinion with the *madness* of a man who is doing all possible injury to the cause of emancipation, which he affects to support and increases the difficulties that stand in the way of rendering *efficient* service to people of color, bond or free. It is a great misfortune, that persons so impotent to do good may have a mighty power to do evil. I was the friend of black men before Mr. Garrison was born—

and, if my life is a little lengthened, expect to be so after his *fewer* shall have left him.

SQUALLY! By an arrival at Boston from Cronstadt, we hear that the Russian government had notified the French ambassador, that his presence was no longer necessary; and that his passports were ready! If such be the fact, the belligerent feelings of France will not any longer be restrained. Civil war the people will have, if foreign war is not declared.

In seasons of adversity, hundreds of thousands of worthy persons in the United States, if they did not secretly wish a general war in Europe, have, at least, been willing that it should take place—the same persons, grateful for the general and quiet progress of our country in population and wealth, are fearfully alive to any event that may unhinge the present regular state of business, and wish the continuance of peace.

SPECIE. It is only about ten months since, that the "New York Journal of Commerce" complained of the superabundance of specie—"that the legal interest on a mass of idle capital would be almost half a million annually"—that how "to be relieved of the incumbrance [of specie] it was not easy to see"—that to stop a "drain of specie, congress imposed a burdensome duty on the goods bought with it"—that the "Chinese had taken it into their heads to second our policy, and, having made their thirty millions of golds" of silver, were calling for *merchandise*," and so "our market for specie was lost"—that "a vortex was wanted where we might carry off after cargo, throw it in, and never see it more," &c. &c. See REGISTER of January 15, 1831, page 353.

On this article we made some copious remarks—endeavoring to account for the abundance of money, in the success of the "American System"—and because of new and profitable applications of capital and the mightily increased circulation of values; saying, however, that several things might happen to afford a "vortex" for our specie, without "giving our streets willow," as the Journal of Commerce suggested might be a means of relieving us of the "incumbrance!"

Specie is now in "demand," and may be said to be "scarce," because it brings a handsome premium: about seven millions have been lately exported, and other millions are preparing to follow; the banks have, necessarily, curtailed their accommodations, and a very considerable degree of pecuniary embarrassment begins to prevail. The payments on account of the public debt about to be made, it is supposed by some, will relieve the existing pressure—but as much of the stock is owned in Europe, and exchange is far above the *real par*, additional exports of specie may follow such payment, and an increased want of money be felt—rather than that relief which is anticipated. For, we think it will be freely admitted, that every silver dollar, forcibly drawn from the United States in the payment of *foreign debts*, reduces the ordinary and safe circulation of money not less than five dollars. Such is the law of scarcity and supply. A small deficiency or excess affects the whole mass, of any and every merchantable commodity.

It is the excessive importations, notwithstanding the "burdensome duty on goods bought with specie," as the Journal of Commerce had it, which now makes a fearful, because forced, "vortex" for dollars. These heavy importations, (exceeding in the sum of 30 or 40 millions the amount of our exports, judging by the amount of the duties which it is said will be secured in the present year), may be in part caused by the reduced price of labor in England, in the increase of paupers, and the necessity of making public sacrifices that the working people may be employed and kept out of mischief. The poor rates in England are above 35,000,000 dollars—now, if by farming out miserable beings to the masters of iron, and others who require much manual power, easily directed by a few skilful individuals, the poor-rates may be abated—the policy is a wise one, because, by this operation foreigners may be compelled to assist in the support of the English poor! It is "throwing out a sprat to catch a mackerel." Thus—a person in England, entirely able to perform severest

animal labor,* may have, say, 6s. a week for his subsistence; the parish hires him out to an iron-maker for 4s. and pays the balance useful to his support. Thus, the iron-maker is enabled to send his products abroad, and, by employing English paupers, interferes with the employment of valuable citizens of Pennsylvania, whose right to the enjoyment of "life, liberty and the pursuit of happiness," no one will have the impudence to deny. It is not worth while to carry out this proposition any further—for it has the stamp of demonstration upon it: still the "free traders" will say, and British subjects declare, that American freemen who "know their rights and knowing dare maintain them," should encounter such a competition! But we shall see that the high-minded and hard-fisted working people of the United States will nullify the debasing project of their enemies—that they are not slaves, and will not suffer themselves to be reduced into paupers, through any hostile combination of interests to effect either. They will speak and be heard—if not, *VELT!* Theory will not fill the bellies of their wives and children, nor a cut-throat of huzzas bake an oven of bread! They must and will understand these things. Our "philosophy" is, that every citizen of the United States shall be protected against the pauper-labor of England, and the craft of her agents, located among us to evade the payment of just duties on goods imported.

The excessive importations of the present year may have been in part caused by the increased privations of the English laboring classes, and the indispensable obligation of providing a subsistence for them. The supply of foreign woollen goods, we are told, has no parallel except in the enormous importations of 1816—hence the price of such cloths have considerably fallen, though the rate of exchange has much risen, which latter should have increased the selling price of British goods in the United States—and an ample "vortex" is opened for our specie! But we think that there is yet another cause for these heavy importations. No one, after the repeated evidences that we have had of the fact, can doubt that it has been the policy of British merchants and manufacturers to create "gluts"—that the manufacturers of other countries might be paralyzed or destroyed. Such a course of proceeding has been openly avowed in parliament, and approved by no less a man than the present lord chancellor of Great Britain, the learned and sagacious lord Brougham, and to the operation of this British policy, we are of opinion, that the present demand for specie is partially owing.

When, some months ago, we spoke of the excessive demand for and high price of wool, we regarded them as the result of sheer speculation, and estimated more than once that they were not of domestic origin. It is known to several of our correspondents that we directly ascribed them to the British policy spoken of—that the American woollen manufacturers might be embarrassed, and, to one at least of our friends, the whole course of the supposed operation was suggested and its effects calculated. It was, however, hoped that the matter would pass over without extensive injury, and deemed impolitic (by those whose opinions we respect), to give publicity to the conclusions at which we had arrived, for reasons stated. But it will be remembered, that we earnestly advised the farmers to put the money in their pockets for their wool, and promptly. Out of this rise in the price of wool, it was manifest that our manufacturers must make cloth at a much increased expense, or arrest the progress on their works—and thus a forced business, or a lessened supply, of woollen cloths, would follow. Such was the state of things, that many manufacturers became sellers of wool—convinced that they could not work it up to an equal profit at the existing price of the material. Better proof than this cannot be offered that there was some artificial excitement to advance the price of American wool, on which our manufacturers chiefly depended. Well, this being effected, and, before supplies of foreign wool could be obtained and made into cloth (though paying a real duty of more than 50 per cent. on its cost, which, in itself, has our

*Such as two-footed hoeing machines in South Carolina, and four-footed and horned ploughing-machines in Connecticut—slaves or oxen.

hearty approbation), we see that the market is overflowed with British woollen goods, the heaviest importation ever made, as we are informed, since the mad year of 1816. Who does not see *management* in these proceedings—first, in an excessive advance in the price of American wool, and then an excessive importation of British woollens—and thus the citizens of the United States, not only embarrassed in their own proper pursuits, have forced contributions levied upon them for the support of British paupers, and the British armies of soldiers, placemen and priests. And these contributions, it is the pleasure of Great Britain, shall be made in silver and gold. She excludes at present, as it were, all the products of the states north and west of the Potomac, containing three-fourths of the people of the United States—the taxes tobacco and rice at a most enormous rate, and for the only article freely admitted—cotton, she will give only a low price. But the end is not yet: unless this disastrous operation is checked—with the arrest or destruction of our woollen manufacture, down, down, goes the price of American wool, and millions worth of labor and millions in capital will be sacrificed. As it was in 1818-19-20, so will it be again—and, as the great public revenue derived from importations in 1815-16, effected, as it were, a general ruin of private individuals—so will the prosperous state of the finances in 1831 involve the country in distress, in a sudden appreciation of the value of money, and consequent decline in the value of labor and lands and improvements. A heavy revenue derived from importations more generally shews the want than the wealth of a country—but if received from internal resources, may afford a just measure of its prosperity. These are principles that cannot be refuted. They will endure and apply, as long as time remains.

TREASURY DEPARTMENT, Oct. 6, 1851. Whereas, notice was given by the department on the 1st inst. to the proprietors of the four and a half per cent. stock of the five millions of dollars, created in pursuance of an act of congress of the 26th of May, 1824; and to the proprietors of the five per cent. stock, created in pursuance of an act of the 15th of May, 1820, that the certificates of the said stocks will be redeemed on the 1st and 2d of January next respectively; and whereas, some of the proprietors of the said stocks may desire a reimbursement of their certificates previously to the aforesaid 1st or 2d of January, notice is hereby given, that, on the presentation and surrender by the proprietor of any certificate, or his attorney duly constituted, at the treasury, or at the loan office where the same may stand credited, or at any time previously to the aforesaid 1st or 2d of January next, as the case may be, the principal of the said certificate will be reimbursed, and the interest which shall have accrued thereon to the time of such surrender, will be paid.

LOUIS McLANE,
secretary of the treasury.

[The public debt will receive a heavy reduction in the present year—for the revenue will be very large.]

AMERICAN INSTITUTE. The annual fair of this institute was held last week, at New York. There were 890 exhibitors, and vast crowds of persons attended to examine the goods; seven thousand being computed as the visitors in a single day! Many of the articles were of the first class for the goodness of their quality as well as beauty. Specimens of hemp and wool are highly spoken of, and the finest and best grass hat, "ever imported or exhibited" was present, the work of a young lady of Connecticut. The show of iron goods and wares was extensive—so were those of wool and cotton, in great variety and excellence—especially broadcloths and carpeting, and some handsome silk manufactures. As we expect to give a pretty full account of this fair, as well as of the exhibition of the Franklin Institute, at Philadelphia, it is not necessary to descend to particulars just now.

After the conclusion of the fair, Edward Everett, esq. of Massachusetts, delivered an oration in St. Matthew's church, which will be published of course. It is spoken of in lofty terms, by those who heard it—in number about 2,000, though yet a greater number could not press themselves into the building; and it

was received with loud applause, notwithstanding it had been requested, by the president of the institute, that such should not be given at the church—but it was the fortune of the orator often to make the feelings of the audience captives to his eloquence, and keep the attention of a dense crowd riveted on him for an hour and a half. He was warmly greeted at the close.

FRANKLIN INSTITUTE. We have delightful accounts of the late splendid exhibition of domestic manufactures, at Philadelphia. Many of the delegates to the "free trade convention" attended, and, probably, never before saw anything better calculated to excite patriotic feelings—for we suppose that every patriot must rejoice in the prosperity of our common country. How "cold and dead" would any one be that could not find pleasure in seeing the hundreds of thousands of bales of cotton which pass from the interior of the southern states to the sea-board, to reward labor and capital?

Among the articles exhibited were two splendid pieces of broad cloth, worth \$10 a yard, made out of American wool, and bearing this inscription—"The manufacturer's skill, and the widow and the orphan's labor." It is stated that many of the "free trade" delegates, on seeing the goods exhibited and ascertaining their price, were astounded at their quality and cheapness, as well as at the variety and extent of them. The greater part of these persons have no idea that leather and its manufactures are worth more than the whole crop of cotton—that such manufactures are protected by a duty of thirty per cent. which they think must needs be "a tax on consumers" and yet that these manufactures are at least thirty per cent. cheaper in the United States than in Great Britain! Thus, instead of paying ten millions *tax* because of this protection, ten millions are saved because we make and manufacture *rather* at home. I well remember when large quantities—tens of thousands of pairs of shoes, were imported—now we export tens of thousands of pairs—so with hats, cabinet wares, chairs, coaches, saddlery, nails, gunpowder, copper, cotton goods, &c. Is the duty on like goods, if imported into the United States, charged on the cost of our own when purchased by foreigners? If so, John Bull must be a "confounded fool" to trouble himself so much to keep them out of foreign markets, or *counterfeit* them. John isn't a fool—he is much closer allied to something else, in all matters of trade!—as some of his doings to prevent the sale of our manufactures in South America have clearly shewn.

NEGRO CLOTHING. From 1824 until 1828, the chief supplies of coarse woollen goods for the southern market came from the northern states—and were acknowledged by those who used them to be better and cheaper than any with which they had ever before been furnished; but after the forced duty on coarse wool, the Canton company, of Massachusetts, whose works cost \$100,000—suspended operations, and the establishment, after remaining idle until last spring, was then sold to a new company for \$120,000—and such cloths as had

*The leather made in the state of New York was last year valued at \$2,905,750—say three millions; in 1810 reported at only 1,079,742 dollars—or less than one eighth of the whole return in that year. But, probably, the present manufacture of leather in New York is equal to one fifth of the whole made in the United States—say 15 millions. From inquiry, we estimate that the labor of boot and shoe-makers, saddlers, &c., is about 60 per cent. of the value of the leather, for an average; and think that 7-8ths of all the leather made passes through the hands of the dependent trades or manufactures. Then—

Whole value of leather, as a material	\$15,000,000
Advance on 13 millions worth of leather,	
at 60 cents in the dollar's worth of its	
ultimate manufactures	19,500,000

Total annual value	34,500,000
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Now this allows only 205 cents to each person, including all the uses made of leather, for boots, shoes, saddlers, harness, book binding, coach and trunk making, ship building, &c. &c.

been freely supplied for 30 cents a yard rose to 45, and now are out of the market. The effect of these proceedings rests where it should. Left-handed legislation has met with its reward.*

Again—we have many and valuable manufactures of cotton canvas, cotton osanburgs, cotton flannels, cotton blankets, and a very strong sort of cotton goods called beaver-teens. All these are cheap—much cheaper than such necessary articles were ever before supplied for our consumption; and the new applications of cotton should also be respected by those who produce the commodity! But neither such cheapness in price, nor demand for their product, seems to have any degree of influence over the heated passions of the south. These manufactures also, must be destroyed, it possible—though, as in the case of coarse woollens, fifty per cent. may be added to the cost of clothing the slaves.

There is something in all this that is not reducible to any fixed rules of action among thinking men. The cry of distress prevails among the cotton planters of South Carolina, while those of Louisiana are remarkably prosperous and entirely content. The one blames the tariff as the author of every evil—the other supports it as a source of invaluable good.

MANUFACTURE OF EDGE TOOLS. In the last volume, page 394, we briefly noticed a valuable factory of edge-tools at Chambersburg, Pennsylvania. Since then we have learned some other particulars, which we shall state with great pleasure—to show the success that has attended an important branch of manufactures, which we had apprehended would be a much longer time in reaching that degree of perfection which is indispensably necessary to obtain the home market, because of the quality and price of the articles offered to the consumption.

This establishment owes its present extension, if not its origin, to the tariff of 1828, though its products are rather incidentally than fully protected. It is situated in the borough of Chambersburg on the Conococheague, (meaning, in the language of the Delawares, "Clear Water") creek—the supply of which is abundant, and the fall, within the town, is 40 feet. It was commenced in 1828, with 5 or 6 smith's fires, and now has 14. In 1828, the value of the goods manufactured was 6,000 dollars—in 1830, \$18,000; and that of the current year is expected to exceed \$30,000; and new works are erecting to increase the manufacture to 50,000 dollars a year. The present consumption is at the rate of 40 tons of first rate iron per annum, with proportionate quantities of steel, &c. Thirty grind stones, worth from 25 to 30 dollars each, and weighing more than a ton, being about 5 feet in diameter and about 12 inches wide, are annually used. They are supplied from York county. The transportations of materials and goods make a heavy item of expense—for about 2,000 bushels of mineral coal and 15,000 of charcoal are used, employing many persons, horses, &c. Forty workmen are employed in the factory, and the wages paid amount to 7,000 dollars per annum—which, with the various other disbursements, in cash, give a rapid and wholesome circulation to money. The chief articles manufactured are axes, hatchets, adzes and hammers, in all their varieties—drawing and straw knives, socket chisels, cleavers, choppers, inslaves and screw drivers; and trowels, butcher's and other knives, fleshers, workmen and currying knives, have been made to advantage, but the demand for the first named articles has lessened the manufacture of the latter, and the quality and cheapness of these things, so far as their extent goes, places British competition at defiance, and has effect to keep and circulate a large amount of money at home, afford employment in many interesting departments,

*In 1804, a writer in a Charleston paper earnestly recommended the manufacture of a strong cloth of cotton warp and wool filling, saying it would sell for from fifty-five to seventy cents per yard. This was exactly the description of goods made by the Canton company, and sold, soon after the tariff of 1828, at from thirty to thirty-five cents per yard. Before that tariff, Welsh plains were worth 6½ cents a yard—a year after that tariff was passed, they sold for less than 40 cents a yard.

and give value to articles which otherwise would have none, because of the want of demand.

We mentioned that certain goods from this factory had been sent to England as patterns, and the result is shown in the following very interesting extract of a late letter from Mr. Dunlop, one of the proprietors. He says "We [Dunlop and Madeira] a few days ago received a letter from Messrs. Lexley and Meredith, hardware merchants in Philadelphia, stating in substance, that they had just received a long letter from James Cam, of Sheffield, England, to whom they had forwarded, by order of his son, \$50 worth of our goods as patterns, in which he says—'he is very much pleased with them, and that they are exceedingly neat and well finished, but that the prices are too low, and that he cannot furnish such tools at their price to suit any market in the United States. We sold him the goods at OUR RETAIL PRICE. He wishes to know your wholesale prices. The English workman has great difficulty in hitting your patterns, and asks a considerable advance on any new article. We need not fear any competition with the English. American tools of the larger sort are from 10 to 20 per cent. better than the British, any how.'"

Such is the prompt effect of the enterprise and talents of Messrs. Dunlop and Madeira. The Mr. Cam alluded to is one of the largest manufacturers of heavy cutlery in England; and he shrinks from the competition of quality and price.

Those who recollect that the British manufacturers for the foreign and the home market are very different persons—will easily understand this. The quality of American manufactured goods generally, because of an equal responsibility, is the same, (if not better in some cases), as of those which are manufactured in England for home consumption, and their price is generally about the same. This fact is especially known in all the chief manufacturers of leather, skins and furs, wood, &c. such as boots and shoes, hats and caps, ships and cabinet wares, for examples—all which are handsomely protected in the United States. The aggregate value of the class of manufactures last alluded to, cannot fall short of 70 or 80 millions of dollars a year—or much more than the whole amount of our domestic exports.

TAXES, TAXES, TAXES! The value of manufactures of leather in the United States is about	\$35,000,000
Of hats and caps	15,000,000
Of household and kitchen furniture, &c.	15,000,000
Of wagons, carts, coaches and other carriages and agricultural tools, &c.	10,000,000
Of coats, vests, and other tailor's work	10,000,000
Of paper, books, binding and newspapers, and various stationery articles	10,000,000
Of (ladies) hats, caps and bonnets, lace, artificial flowers, umbrellas, &c.	8,000,000
Soap, candles, tobacco, beer, cider, buttons, pen-knives, wooden clocks and "wooden nutmegs" &c.	7,000,000
	<hr/> 110,000,000

Product of other mechanics—excluding, all the makers and workers in iron, lead or other metals—in wool, cotton, and all the principal branches of what are commonly known by the term manufactures

200,000,000

This aggregate is a far less amount than the annual product of the several mechanical branches of business, and on all such products there is an average duty of about 30 per cent.

Now Mr. Raguet, and all the "free trade" people tell us, that upon every "cradle" and coffin of the value of ten dollars there is a tax of three dollars, and hence the mechanics of the United States tax the rest of the people at least sixty millions of dollars a year—notwithstanding the articles they supply for the consumption are of less cost than like articles in Great Britain! And there is a tax of 6½ cents on every square yard of coarse cotton, though the selling price of it has been as low as 7 or 8 cents! Nay, at the present price of flour in England,

the *tax* on every barrel that we use is not less than one dollar! There is also a *tax* of five cents per pound on nails, though the price is only about 5½—a *tax* on potatoes, cord-wood and onions!—on hay, peaches and water-melons!

THE FUR AND LEATHER CAP MANUFACTORY, of Messrs. Packer, Prentice & Co. of Albany, (having also a warehouse in N. York), employs 200 males and 450 females, disbursing 1,800 dollars in weekly wages! The chief materials used in this factory are manufactured, or prepared, by the concern. The business transacted amounts to several hundred thousand dollars a year—the wages, alone, being about 100,000. Hadn't all this better be sent to support the king and lords and bishops of England, with their army and navy and paupers? This manufacture is protected by a duty of 30 per cent. but the caps supplied from it are cheaper, far cheaper, than England can furnish them—free of duty.

HOW IT WORKS. In the year ending 1st October 1830—there were imported into Providence, R. I. 61,887 barrels of flour, 396,928 bushels of corn, and 18,857 bushels of rye. In the year ending October 1, 1831—75,164 barrels of flour, 243,290 bushels of corn and 11,172 bushels of rye.

In the first year, 43,000 bales of cotton, imported at Providence, were consumed—in the last year 53,378 bales; and the stock on hand, 30th September 1831, was 12,730 bales—to wit, 5,430 Louisiana and Alabama 5,691 upland, 354 sea-land.

About 5,000 barrels of flour are annually used at one flannel manufacturing village in Massachusetts—with large quantities of southern corn, &c.

We have no doubt that a greater quantity of flour proceeds from New York, and the states south and west, to *New England*, than is sent to *all foreign nations*. This business has almost exclusively grown up because of the establishment of manufactures. Hitherto, it was only the wealthy people of New England that consumed southern bread-stuffs—but now, labor being rendered profitable, many sets of half-a-dozen villages that might be grouped, are worth many times as much as the growers of wheat will obtain from an opening of the West India ports—unless flour shall be carried in *British bottoms* from Canada, Nova Scotia, &c.

BROOM CORN. The manufactures of broom corn are worth some hundred thousand dollars a year, through "Yankee contrivances." A young Yankee has just invented a machine to clean it very neatly, and with great rapidity. If England would receive this manufacture freely—it would help to pay for many bales of thread, tape and buckram; and probably keep half a million of hard dollars for the home circulation.

"NANKIN COTTON." We have seen specimens of this cotton, and hope that it will become an interesting item in the manufactures or exports of our country. It is thus noticed in an account of the late exhibition of domestic manufactures at Philadelphia.

"But perhaps the most interesting part of the exhibition, is that of the American nankins made by Mr. Callet, of Paterson, New Jersey, from cotton grown by the hon. John Forsyth, of Georgia. This variety of cotton is believed to be at present exclusively raised by the above mentioned gentleman, on his estate, near Sparta, Georgia. It requires no dying, the cotton yielding of itself a natural and permanent nankin yellow color."

THE YANKEES! One man at Charlestown, Massachusetts, has gathered 363 lbs. of *squashes* from one seed—another at Portsmouth plucked an *apple* from one of his trees that weighed 1 lb. 10 oz.—and the *cow* of a third dextrously shook a quince tree, and eat a peck of the golden fruit! A fourth makes about 2,000 dollars a year by the manufacture of *shaving boxes* to assist the operation of *nullifying* the beards of southern gentlemen—A fifth grows *water-melons* weighing 39½ lbs. So they go on. With any thing—from a shaving box to a ship, from contriving wooden nutmegs to the use of the bayonet—from making edict to handling 32-pounders, the Yankee always wishes to "go a-head!"

and he will sit down, with a pen knife, to make a clock out of cedar shingles—or enter for a three year's voyage to the Pacific to harpoon whales—"just as it happens!" Two of them, some years ago, took a trip to Canton in an old sloop, in which they built an oven and commenced the manufacture of gingerbread; and, having gathered money, returned with a "considerable" cargo of teas, which they picked up "in trade." And one who had recently, peradventure, returned from a voyage among the frozen islands of the south, to catch seal—lately managed a team of one hundred and fifty pairs of oxen at a cattle show, marching and countermarching them like a well drilled company of soldiers, at eunimad! We may next hear of him teaching a school, or hammering horse-shoes—budding a mill, weaving cotton table cloths, or making mouse-traps! His only motto is "ONWARD!"—*always onward.*

BALTIMORE AND OHIO RAIL ROAD. We have the fifth annual report of the president and directors of this road to the stockholders. It is a very interesting paper, and shall speedily have an insertion. It announces that seventy-one miles of rail road will be opened for the transport of persons and goods in the present year; and that, notwithstanding the very heavy cost of the first division, the average of these 71 miles, with a double set of rails, will not exceed 27,128 dollars per mile. The average cost from Ellicott's mills to the Potomac will be no more than 20,168 dollars a mile; which rate, it is confidently stated, will carry the road to the coal mines in Alleghany county. About two-thirds of the whole line is laid on stone rails.

VERMONT. The legislative power of this state is in the hands of the anti-masons, having a majority in "joint ballot." As there was "no choice" for governor, he will then be anti-masonic. There appears, however, to be a small majority against them in the house of representatives—several ballottings having been had to elect a speaker without success—three candidates being voted for.

NEW JERSEY. The election of members of the legislature of this state was held last week. One account says, that the parties in both branches are equally divided—another, that the council (senate) is so divided, and that in the house of representatives there are 26 Jackson and 24 Clay members—which seems to be the true result. Some division in the latter party is said to have produced this unexpected result. The Jackson party had a majority of 20 in the last legislature.

PENNSYLVANIA ELECTION. From the *quadrangular* warfare at the polls of this state, it is not easy to determine the real strength of any of the parties. There is the "Jackson" party, the "Jackson and Wolf" party, the "national republican" party and the "anti-masonic" party, and, in some instances, the "working men's" party. The first, as we understand the state of things, is Jackson throughout, the second, Jackson for the time being, the third Clay against the field, the fourth for Mr. Wirt. The term "democratic ticket" has, in many places, superseded that of "Jackson ticket," and is made up, (as in Philadelphia, for example), of gentlemen of various political preferences, but agreeing on what we regard first principles—all being friendly to the "American System." When the returns are in, we shall, perhaps, give a general statement of the result.

SOUTH CAROLINA. A vacancy in the house of representatives of this state, lately occurred by the decease of one of the Charleston delegation, and a most ardent campaign took place in that city. The unprecedented number of 2,700 votes were taken—for Mr. Keith, (nullifier), 1,354; Mr. Robinson, (union), 1,346—majority for nullification only 8. This is called a "glorious victory," and there was a great entertainment at the circus, in consequence. At the late election for intendant, the free trade and state rights party had a majority of 108 votes.

GEORGIA. There has been a very close election for governor in this state, and the result is yet uncertain—

present returns, Lumpkin 24,698, for Gilmer, (now governor) 23,792. Lumpkin is of the Clark and Gilmer of the Troup party. We know not what they differ about—but they do violently differ. The "Milledgeville Journal" 13th, has some further returns—says, generally that Mr. Lumpkin is about 1,500 votes ahead, and that 12 counties were yet to be heard from. From the manner of the "Journal," (a Troup paper), we suppose that Mr. L. is elected.

MISSISSIPPI. The late census of this state shows the following results: white males 38,497, females 32,121—total 70,618 whites; slaves 66,692; free persons of color 529; grand total 136,806.

FAYETTEVILLE. We think there are many reasons why a full account of the voluntary contributions made for the relief of the sufferers by the calamitous fire at Fayetteville, should have been published. We have not heard that it has been.

MISSOURI. Many candidates are before the people to supply the place in congress made vacant by the unhappy death of Mr. Pettis, and the controversy is proceeding to great lengths, indeed. The Missouri Republican gives us the following extract from the "Western Monitor," edited by James H. Birch, who is one of the candidates to represent the state of Missouri in the congress of the United States:

"We commence to-day, the powerful speech of colonel Benton, against re-chartering this dangerous institution," and continued it, in every line and letter, to the dissipated consideration of the democracy of the country. A letter from St. Louis, of the first instant, says—"the two parties are already beginning to separate upon it, in reference to the successor of the lamented Pettis;" and adds, "he will have died in vain if a bank-man is elected in his place." We know moreover—and other friends of Mr. Pettis know the same fact—that he never ceased to avenge the controversy into which he was forced, and the consequent violent end he encountered, to the desire which was felt to elect in his place, a friend and supporter of this man-destroying institution. On this chilling subject, we have the promise of more ample developments, in the shape of a written statement, left by the deceased, for the purpose of being used by the republican party after his own voice had been hushed in death. It will add to the fame of this gallant and intrepid champion of the people, that, having borne their banner triumphant in life, he died a martyr to the doctrine of equal rights and privileges."

Which, "by interpretation," means, that the bank of the United States mediated and brought about the death of Mr. Pettis, even at the sacrifice of major Biddle!

What NEXT?

The Boston Traveller—gives an extract of a letter from a friend in Missouri, detailing minutely the circumstances of the duel. The writer was a warm friend of Mr. Pettis, and, among other things, says—

"I urged the duelling out of major Biddle, after the election, and at the same time I knew the major would take the distance above given. But, under the same feelings I would have advised my brother to lose his life in the same way. The death of Mr. Pettis, with its attending circumstances, has wrought a complete change in some of my sentiments. I have advocated duelling in the abstract, and on principle; but this melancholy scene, the recollection of which, is filled with so many unpleasant reflections, will not permit me to countenance the practice, at least not until the memory of this shall fade. A dark cloud rests upon that transaction whenever my mind reverts to it. The course—blind, rash and murderous—which I urged in this unfortunate affair, has left stings with me which nothing but religion can extract. I have had few moments of peace since the death of my worthy friend."

The intemperate proceedings of the parties—and it would seem that (as is generally the case), both were in fault, led to the fatal result, which hurried two much valued men into eternity.

* Bank of the United States.

Mr. Woodberry, the present secretary of the navy, seems to be earning for himself "golden opinions," because of his prompt and courteous attention to business.

MR. RANDOLPH. The Baltimore Patriot says, that Mr. Randolph left this city on Wednesday morning last, by steam boat, for Richmond.

MR. CROCKETT. From the official returns of the recent election in the Western district of Tennessee, it appears that the enormous number of sixteen thousand four hundred and eighty-two votes were polled, of which Mr. Fitzgerald received the slim majority of 586 votes.

MR. McDUFFIE, &c. The "free trade and state rights" men of South Carolina seem to have a gloomy time of it, under the oppressions of the tariff, for almost every week we have an account of some great dinner given to some great man, at which there was plenty of eating and drinking, and—talking.*

At an entertainment just given to governor Hamilton at Edgemoor, Mr. McDuffie and other distinguished persons were present. His excellency made a "powerful speech," and was loudly cheered, and Mr. McDuffie, on being toasted, made a speech too. The account says that "he gave a most interesting detail of the recent trial in Charleston on the custom house bond, demonstrating that, in the very spirit of the tyranny by which the iniquitous American System is forced upon the south, trial by jury was sacrificed by the 'evidence of special pleading'—he illustrated the gross inequality and injustice of the protecting system, by contrasting the conditions by nature and the conditions by federal legislation, of the northern and southern sections of the confederacy—and manifested his opinion of the proper remedy for the grievances of the south in the following sentiment:

"The conservative principle of our confederated republic—the right of resisting oppression through the judicial tribunal of the country, under the sanction of state sovereignty."

All this is very fine—nullification "up to the hub." But—

In Alabama, the people eat and drink and make speeches, as well as in South Carolina—and they are pretty nearly as effective as those of the last named state. It seems that a public dinner was given at Tusculoo to Mr. Gayle, recently elected governor of Alabama at which also many distinguished persons were present. The following toasts shew the character of the meeting—

The memory of George Washington, the father of his country. Never did a father leave to his children so glorious an inheritance, as the example of his life, nor so valuable a legacy as his farewell address—The first should be contemplated with unceasing veneration, and the latter profoundly studied, and its principles earnestly followed, by every American who loves his country, its institutions and liberty.

James Madison. A venerable patriot yet spared to us, a profound constitutional lawyer and enlightened statesman—The times demand his advice and opinions, and his countrymen should bow to them as the saving admonitions and oracles of political virtue and truth.

The union of the states. The only basis on which our federal government can stand—May it be eternal as the everlasting hills.

Nullification. The Trojan horse, carrying within disunion, anarchy and civil war. If once permitted to enter the temple of our liberty, ruin, devastation, and slavery, will inevitably follow.

And Mr. Gayle, on being specially complimented, among other things, returned to the length of time which he had been in public life, the part he had taken, and the principles by which he had been governed; and concluded by a most masterly review of the doctrine of "nullification," in which he demonstrated with a force and clearness not to be resisted, the unconstitutionality and

* The "Unionists" also seem to think that something may be done in this way, and have their meetings and dinners in various parts of South Carolina—which are numerously and powerfully attended.

danger of this modern heresy. He fortified his positions by a reference to the Virginia and Kentucky resolutions of '98, and the Virginia report of '99, and the opinions of Patrick Henry, James Madison, Thomas Jefferson and Andrew Jackson, and illustrated and embellished the whole by pointing out in the most beautiful manner the benefits which we had derived from the union, the pride and dignity of Americans wherever they were, proceeding from the liberty, freedom and happiness of their country, and by drawing a frightful and gloomy, but true, picture of the condition to which we would be reduced by a conflict of force between the general and state governments, and dissolution of the union, which he contended would inevitably result from the doctrine of nullification if practically adopted. He gave as a sentiment:

"The union. It must be preserved."

The speech and toast were received with "loud and rapturous cheers."

The following queer anti-nullification-nulifying paragraph is from the *Richmond Enquirer*: He is a lucky fellow who understands it! The editor seems afraid of his own thoughts.

"The wonder with us is, how any of the friends of state rights in South Carolina, should ever have entertained any hope of redress from the federal court. In the first place, the tariff law is so constructed as to forbid the question of its constitutionality coming fairly before the court. If this be not one of the many instances of usurped power; which (to use the words of Madison's report) the forms of the constitution would never draw within the control of the judiciary department, the very form of the law itself would forbid it. In the second place, if it could fairly come before that tribunal, it would not be safe to carry it there. We confess, we should expect very little from a body so constituted as that is, so guided by vicious precedents, so penetrated with strong federal doctrines, so little disposed to protect the rights of the states. No, no, our hope is not fixed on that anchor—the rights of the states must depend on the states and on the people—not on a tribunal constituted as that court is."

MR. COLEMAN, recently ejected from congress by the people of Maysville district, Kentucky, has been appointed post-master at Maysville in place of his brother-in-law, resigned. It is a snug office—said to be worth 1,500 dollars a year.

A "FREE TRADER!" Shortly after its date, and in due course of the mail, I received a letter post-marked at Cincinnati, June 16, and for which I was sendled out of twenty-five cents postage.—But that's nothing—it will relieve the finances of the general post office, and so pay off the national debt.

Cincinnati, June 14, 1831.

Mr. Niles—You are a villain, and I know it.

A subscriber to the Banner of the Constitution, or W. S."


Mr. Raguet had better examine his Cincinnati list, and strike off "W. S." for he'll not pay "the printer!" As for myself, I hope to survive, as well this knowledge of me, as the fraud of 25 cents; and as the gentleman so well knows me, I have taken measures that the public may know him; and if his name is worth publishing in capitals, he may expect to see it "Registered."

ANOTHER COMPLIMENT! Some "good natured friend" has forwarded to me the "Florida Gazette" of the 27th Aug. published at St. Francisville, La., by a certain "J. Eckley"—a gentleman that I never heard of before, who has obtained some types and a keg of ink to back them. The leading paragraph under the editorial head begins thus—"We regret to see that our thick skulled, flat headed, ugly, stupid, and wicked ci-devant secretary Ingham, has again offended the public ear with his complaints. He raves in one breath like some imaginary hero in bedlam, and in the next he whines about persecution like a sick child," and so forth. This article is followed by one in which the editor of the REGISTER is pronounced a host within himself, in the way of abuse and vituperation "calling to his aid every

vile scrap of filth and trash and slander that can be culled from the opposit on papers," and so forth; and simply because he threw back, with contempt, certain mad sayings of the chief organ of the nation of South Carolina!

Mr. Eckley must have breakfasted on an alligator stuffed with rattle-snakes, and hoisted with coarse black pepper. Well—if such suits his own stomach and pleases his neighbors, I have nothing to say against his taste; and it establishes his whole hoggin without doubt.

YET ANOTHER! The following is from the "St. Louis Beacon," of which a senator of the United States has the credit of being the real editor:

"Our friends will see that the Jackson party has gained a great victory in Baltimore. The defeat of HEZEKIAH NILES is a double one—both as a violent anti-Jacksonist and the old champion of the American System. Mr. Niles has published a *Manufacturer's Journal*—nicknamed by way of contradistinction, *Weekly Register*—about a quarter of a century in Baltimore; and now the author is signally and decidedly overthrown in his own city.  This is the way that Jackson is losing ground!"

The defeat of "Hezekiah Niles," as a private individual, was not unexpected, and is—nothing; such result having no more influence over the political character of the legislature of the state, than a highroad or two of water taken from the Missouri would check the progress of that river in its junction with the Mississippi but his rejection as "the old champion of the American System" is—something, and may pass for a "sign of the times;" notwithstanding no person can be elected to any responsible place by the people of Baltimore, who shall openly profess himself an opponent of that system. Party has not yet gone as far that our citizens will fairly quarrel with their bread and butter, on account of it.

AND NOW PER CONTRA! At a late public dinner at Cambridge,* Maryland, Hezekiah Niles was warmly toasted, (but the toast is mislaid), and more recently at another at Chestertown,* the following was given as the 6th regular toast—

Hezekiah Niles.—The able sentinel, he never deserts his post; if gratitude is due to public benefactors, so is encouragement to those enlightened patriots who labor to sustain national industry.

And at the great meeting of the people of Baltimore on Saturday evening last, at the Exchange, more than a thousand of the chief capitalists or most worthy of the productive men, (and of all political parties), being present—the following resolution was offered, and received in a manner that seemed to shake the noble and lofty dome under which the citizens were assembled. I wish the editor of the "Beacon," whether a senator of the United States or a mere stickler of types, may occasionally for such a flow of fervent gratitude and humble thankfulness as I felt, when the bone and sinew of our population thus unexpectedly greeted me, and my valued and venerable friend—

Resolved, That the friends of Domestic Industry in the city of Baltimore and its vicinity, highly appreciate the services of Hezekiah Niles, of the city of Baltimore, and Matthew Carey, of the city of Philadelphia, in the great cause to which they have devoted their labors; and that the persevering and arduous efforts of these enlightened citizens to inform and direct public opinion in the proper estimate of the true sources of our national prosperity, entitle them to the applause of the country.

MAJORITY. The triangular wars among parties in the states which require majorities to elect public officers, will probably bring about a relief to the people,

*It may be well to observe, for the information of the editor of the "Beacon," that Cambridge and Chestertown are on the Eastern Shore, and that the people of this part of Maryland were almost unanimously opposed to the "American System" a very short time ago. Here is comfort for the Beacon editor! for at each of those entertainments were large numbers of the "chuseu people"—cultivators of the soil.

for the waste of money and time which attends a performance of their duty at the polls. It seems very possible that the seats of three or four members of congress from Massachusetts and Vermont will remain vacant, because of the struggles between the "National Republican" and "Anti-Masonic" parties, which gives to the "Jackson party" the power of preventing a choice, though hopeless of electing its own candidates. Another unsuccessful attempt—the 6th, we believe, has been made to elect a member of congress from the 4th district of Vermont.

QUEER PARAGRAPH. The Washington Globe says—"We imagine that the American people will consider the peace and prosperity of the country safest under the deliberations of the great councils composed of *their own legitimate representatives*; and, trusting in their wisdom, we should have no fear of the union, if Mr. Clay were dead."

ANTI-MASONRY. With the reception of such a letter as Mr. Wirt's addressed to the "National Anti-masonic convention," we believed that the anti-masons of Massachusetts would have felt satisfied with gov. Lincoln's letter to their committee; but it seems that they are not. Their first nominated Mr. Adams, late president of the United States, for the office of governor, and, he having declined, they have taken up Samuel Lathrop, esq. in opposition to gov. Lincoln.

THEATRICAL BUNNY. There was a grand uproar at the Park theatre, New York, on the evening of the 15th, because of the appearance of an English singer, named Anderson. It is stated, that during his voyage he had so much abused the "ill-d yankees," as to have received a sound beating for it. This being noised about, the theatre was crowded, and, the moment Anderson appeared, he was met with hisses, cat-calls and cries of "off, off." He kept his station however, the play proceeded, and was gone through in dumb show. Mr. A. then published a card, denying that he had spoken disrespectfully of the American people, and hoping that what happened in a private quarrel might not prejudice the public against him. We like the *feeling* displayed on this occasion—but it may have had a wrong direction. It is sufficient, we think, that persons dissatisfied with performers—should let the theatre "alone!"

A second appearance of Mr. Anderson produced a mighty "row." Several thousand persons, within and without the theatre, appear to have taken part in the important affair! Many acts of violence were committed—and the police, including all the watchmen, had an arduous time of it. The result was the entire withdrawal of the offending party from the stage of that theatre. The narrative of events occupy several columns in the New York papers! There were a good many *act-toss* in the theatre, in which some Englishmen, (who appear to have rallied on the occasion), were pretty severely handled.

FOR NAPLES. We see it stated that Mr. John Nelson, of Frederick, Maryland, has been appointed "minister to Naples." If so, it is a renewal of the principle of the *Panama* mission of Mr. Adams, and the more recent *Constantinople* affair of general Jackson. They all rest upon the same foundation. We have no minister at Naples—there is no vacancy—and the appointment is one altogether *de novo*. It is said that Mr. Nelson has accepted the appointment and will depart next month.

A USEFUL CITIZEN. The Fredericktown Herald gives the following character, justly due to Philip E. Thomas, of Maryland, the president of the Baltimore and Ohio road company:

"He is a financier and engineer, mechanic and artist; he can direct the drilling of the laborers or a blast in a rock—ever fruitful in expedients, and indefatigable in the application of them. In the language of a friend, he is 'up to everything,' and if it were not for his straight coat, he would make an excellent commanding general of an army!"

CALCULATION! The Albany Argus, taking 48,000 as the basis of a representation, gives the following allotment and estimate of the presidential election of 1832. For Jackson Maine, New Hampshire, New York, Pennsylvania, Virginia, and all the rest of the states that follow on the usual list, with 5 in Maryland—total 232; for Clay, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware and 5 in Maryland, total 47, for Wirt, Vermont—7.

EMBEZZLEMENT. A fraud practised on the bank of New York as far back as 1820 and 1827 has just been discovered, in a forced or forged balance of one of the accounts, and the amount of such settlement is 40,000 dollars. One of the chief clerks at that time is suspected of this ingenious proceeding, which he appears to have thought would never be discovered.

APPOINTMENTS BY THE PRESIDENT. Auguste Davizac, of Louisiana, to be charge d'affaires of the United States, near his majesty the king of the Netherlands.

James A. Dunlap, of Florida, to be attorney of the United States for the middle district of Florida, vice James G. Ringgold, deceased.

James Buchmann, of Pennsylvania, minister plenipotentiary of the United States at the court of St. Petersburg, vice John Raulolph, resigned.

"CRUSHED SUGAR." *United States vs. Ebenezer Breed & Co.* We learn from the Boston Gazette, that in this case, which has been on trial several days in the district court of the United States, the jury on Friday, returned a verdict in favor of the defendants. The action was brought to recover the difference of duty (about 20,000 dollars) on a large quantity of sugar imported about a year since from London, and entered as powdered sugar, paying four cents per lb. and which was alleged to be loaf or lump sugar, "crushed," and subject to a duty of 10 or 12 cents. This case has excited much interest.

In addition to the above the Boston Patriot remarks—Mr. Dunlap moved for a new trial, which motion is under consideration by the court. Suits have been instituted on bonds given for similar importations by other houses in that city. The defence set up was that the sugar in question was not commercially known as loaf or lump sugar, and was not so valuable, selling at about the rate of powdered sugar.

TAK CHOLERA. Near Novogorod thirty medical persons have been infamously massacred by the people, under the pitiable delusion that the cholera morbus is the effect of poison administered by the physicians and foreigners to thin the number of the Russian peasantry. So much for the respect and confidence in their superiors, and the peaceable submission to their lot, which the want of education breeds in an uncivilized nation!

Not only these and other popular excesses of a similar nature, but mutinies of the soldiery, ending in the murder of no inconsiderable number of officers in the military colonies, remain unpunished, and report says that discretion and moderation, that is pusillanimity and impotence, will prevent any inquiry being instituted. So much for the vigor with which despotism arms its legitimate autocrats for the security of its servants and subjects.

All precautions against the disease which ravages the empire have been abandoned, either at the mandate of a rabble colored by bloodshed and massacre in the hospitals of St. Petersburg, or by the narrow and ignorant enmity of the ministers of commerce and finance, who either deny the contagious nature of the malady, or prefer the revenue of the state to the health and safety of the community.—There is indeed an exception. One place is encircled by an impenetrable sanitary cordon and while his subjects are dying in agonies of a painful and infectious complaint, the sovereign is protected from its approach in his voluntary *isaretto* of Peterhoff.

THE CROWN JEWELS of England are worth a great deal of money, as such things are estimated. The "invaluable jewels" as they are called in a London paper

in the queen's crown, are valued at £111,900. The crown weighs 19 oz. 10 dwts.—is made of gold, but is covered with diamonds so that not a particle of the gold can be seen.

THE KENSINGTON. The officers of this ship while lying at Portsmouth, Eng. had some quarrel about civility, with certain British naval officers, for which they demanded satisfaction and so forth; they afterwards wished to withdraw their note, but it had passed into the hands of admiral Coghington. The K. passed through Spithead on the 30th August, without saluting the flag of the commander-in-chief. The English are under a mistake in supposing this vessel to belong to the navy of the United States. She is, or will be on her arrival, the property of the emperor of Russia, and never belonged to the U. S.

A LUCKY FAMILY! The Beresford family in Ireland, have long been celebrated for their devotion to the ruling power in England, and ever-readiness to perform any work assigned them—and they have been wonderfully "rewarded," by offices in the state and church; fastening themselves, however, especially on the latter. There are in Ireland four archbishops and 18 bishops, of the established religion. Within the last 20 years, it is stated that the Beresfords have possessed the bishopricks of Kilmore, Cork, Raphoe and Clogher, and the archbishopricks of Tuam, Dublin and Armagh—some of them by translations, as the death of incumbents presented increased "shearings of the flocks"—these people always going on from lat things to latter ones.

BANK OF THE UNITED STATES. In our last paper a notice was inserted requesting the citizens of Nashville and Davidson county, to meet at the court house on Saturday last, for the purpose of expressing their opinion in relation to the renewal of the charter of the bank of the United States. A few persons, not exceeding seventy or eighty, assembled, *col. Andrew Higgins* was appointed chairman and *Samuel Watson*, esq. secretary. As soon as the meeting was organized, *Chas. Biddle*, esq. offered a preamble and resolutions declaring in substance that it was inexpedient, at the present time, to express any opinion on the subject. Before the question was taken, *Dr. Boyl McNairy* offered resolutions in favor of the renewal of the charter. The meeting was then addressed by *Felix Grunty*, esq. in favor of *Mr. Biddle's* resolutions, and by *col. Andrew Erwin* in favor of those submitted by *Dr. McNairy*. *Mr. Biddle's* resolutions were adopted and the meeting adjourned *sine die*. [*Nashville Banner.*]

THE HESSIANS. "At the bank of England," says a paragraph in the *Lady's Magazine*, for December 1786, "the sum of 471,000*l.* was transferred by *Mr. Van Otten*, on account of the Landgrave of Hesse, an much being due for Hessian soldiers lost in the American war, at thirty pounds a man." According to this calculation, the number of Hessians lost in the said war was 15,700.

[A good many of these deserted, and from them have descended some of the most worthy and respectable families in the middle states. One generation in America, is enough to convert even Hessian machines into rational freemen.]

BRITISH NORTH AMERICAN COLONIES. The steam ship *Royal William* has recently made the voyage from Quebec to Halifax, and back, in nineteen days, including all stoppages. This is regarded as an important event, because of the increased business of the British colonies, on account of an arrangement of the *West India* trade, which has given employment to a large amount of British tonnage, at the loss of employment for our own.

It is added, that the *Royal William* will probably be sent to England—and her departure is urged, "that the honor of priority in sending a steam ship across the Atlantic" may not be snatched from the Canadians by a like adventure from the United States! It is already forgotten that an *American* steam boat not only crossed the

Atlantic, but proceeded to St. Petersburg and returned, some 10 or 12 years ago!

"A NUISANCE." The grand jury of Spartansburg South Carolina, has presented the "Free Trade Association" as a "nuisance!" [Branches of this association have been installed in many parts of the state, and it is those societies which are deemed a "nuisance."] South Carolina, we have no doubt, will "minister to herself," and heal the political diseases that prevail within.

BARBADOS. An account from *Barbadoes*, of the 5th September, states that 3,704 persons had then been found dead in the ruins, and the churches were full of the wounded.

ALGIERS. The vines and mulberries which were sent from France to Algiers, have thriven there remarkably well. The cultivation of cotton and indigo has been likewise introduced by some Frenchmen, into the immediate vicinity of Algiers, which promises to be a valuable colony for France in more respects than as a mere marine depot.

BRIEF NOTICES.

Judge Marshall. A Philadelphia paper of the 18th says—We learn with hearty satisfaction that the chief justice continues to do extremely well. Four days have now passed since the performance of the operation.

Henry Smyzer has been elected a representative in congress to fill a vacancy in the York district, Pennsylvania.

Trotting. The Philadelphia Chronicle says—At the Hunting Park course, on Thursday afternoon, the celebrated horse, *Whalebone*, trotted thirty-two miles, in harness, in one hour, fifty-seven minutes, and fifty-nine seconds; two hours, being allowed. He performed his task with apparent ease, though some time was lost by the breaking down of the sulky. Few bets could be had against him at less odds than three or four to one.

Silver mine. It is reported in Albany that a valuable silver ore has been, within a few days, discovered in great quantities in the county of Scholastic, in the state of New York.

Statue of Hamilton. The block of marble designed for the statue of *Hamilton*, has been brought to New York, in the brig *Elizabeth*, capt. *Storry*, from Lehigh, and it is the intention of *Mr. Hughes*, we learn, to commence the statue immediately. His known ability as a sculptor has created high expectations in relation to this undertaking. The statue when completed is to be placed in the large room of the Merchants' exchange. No place could be more appropriate for such a memorial of the man to whom this city is so largely indebted for its commercial prosperity.

Endicott pear tree. The famous pear tree planted by gov. *Endicott* in 1628, (203 years), on his farm in Danvers, then a part of Salem, has this year borne three bushels of pears. The species is *bou-cretien*. This tree has survived many generations of men, and is almost the only first settler remaining. [*Sat. Reg.*]

A great excitement seems to have prevailed at Charleston, against *Mr. Charles McIntire*, a wholesale dealer, because that certain children's handkerchiefs, of British manufacture, stamped with some offensive figures, had been sold at his store, without having been noticed by him. He says that this thing has been "blazed about the city," that "he is an innocent victim, injured beyond reparation," but it is not stated why these 75 cents per dozen things should have created so great an excitement.

A caution. A schoolmaster in *Rensselaer* county, N. Y. has been fined one thousand dollars for kissing one of his female pupils.

A long loan. The bank of the United States has loaned to the city of Cincinnati one hundred thousand dollars, at 5 per centum—the stock redeemable at the expiration of forty years.

"Cranberry day" is hereafter to be a festival at Barnstable, (Mass.) The Journal states that the town authorities had forbidden this valuable berry to be taken from the bogs on *Sandy Neck*, until ripe, and then to pay a stipulated part to the town. Sept. 20th was the

day appointed, and 500 men, women, and children, had a fine frolic. Wet weather had probably reduced the crop one half; but from 150 to 200 bushels were picked.

Double marrying. A Catholic gentleman and an Episcopal lady were to be married a few days since in Connecticut. The lady insisted on the forms of her own church, and the gentleman was equally pertinacious in favor of a Catholic ceremony. Whereupon it was mutually agreed that each should be gratified. A clergyman was called, and being married Episcopally, the couple repaired to New York, and were married over again Catholically.

An ancient Highlander. There is at present living at Grulla, in the Isle of Skye, a man named John Macpherson, who has attained to the extraordinary age of 108 years. His faculties are still entire; his memory, in particular, being fresh and unimpaired. This veteran clansman, who has witnessed so many changes in his native country, still repines at the extinction of the feudal spirit by which the glory of clans and chiefs has been eclipsed. He remembers prince Charles Stuart, after the battle of Culloden, disguised as a female, and going under the name of Morag, in company with the celebrated Flora Macdonald.

Valuable cows. At the recent cattle show and farmer's fair, in Andover, (Mass.), two cows were exhibited, one of which, with feed from a common pasture, gave from the 2d of May to the 27th of September, 556 gallons of superior milk, being an average produce of four gallons per day. The other gave in the month of June, 17 quarts a day; there was made from her milk in one month, fifty pounds of good butter.

Ladies of the South Sea islands. The Rev. Mr. Stewart mentions, in his 'Visit to the South Seas,' that among the Nukuhivians, the belles are ambitious of white complexions.

"The uncommon fairness," he says, of many of the females, is the result of an artificial process, followed by an almost entire seclusion from the sun. The juice of a small indigenous vine called *papa*, possesses the quality of whitening the skin; and such as are particularly desirous of fair complexions, wash their whole persons every morning in a preparation of this, and wrapping themselves closely in their garments, keep within doors most of the day. When they do go out, they always make use of the large leaf of the palmetto for an umbrella. They usually bathe in the evening, and do not resort to the cosmetic again till morning."

New York. The three story brick house and lot, corner of Pine and William streets, was sold yesterday, by James Bleeker & Sons, for \$22,000. The lot is 25 feet on Pine, and 68 on William street.

Lost labor. The Drovers' bank in New York was entered by false keys on a certain night last week—and, with great labor and skill, the occupants bore their way into the directors room, but could not bore themselves into the vault; and they retired after several hours' profitless work, unmolested.

English bishops. It is confidently asserted, that earl Grey is consulting with the Episcopal bench, for the purpose of curtailing the immense revenues of some of the bishoprics. In future the income of a bishop is not to exceed £5,000 a year, the surplus of his revenues is to go to a fund in aid of the building and repairing churches and chapels. The two Irish mitres, now vacant, are at once to come under the new arrangement.

[This measure will not produce any abatement of the oppressions on the people, or accomplish any public benefit. It will not satisfy either party in the war between church revenues and poor rates.]

Singular lady-bird. A lady of the Russian court, in the reign of Catherine the second, kept a slave, who was her perruquier, shut up in a cage in her own chamber. She let him out every day to arrange her head dress, and locked him up again with her own hands after the business of the toilet was over. His box was placed at her bed-head, and in this fashion he attended her wherever she went. He passed three years in this captivity, the object of which was to conceal from the world that this lady wore a wig.

[*Memoires Secretes sur la Russie.*

Gun locks. The New Hampshire papers describe a newly invented percussion gun lock, which is so con-

structed as to discharge the gun sixty times with one priming. The inventor is George W. Morse, son of the rev. B. Morse, of Haverhill, a lad of 17 years of age. The lock is entirely concealed within the stock, which is of the common form, with the exception of the trigger and guard, the latter being divided into two parts, one of which is movable, and drawn back when the gun is cocked, and serves as the hammer by which the percussion is produced.

Roger R. Taney. The honorary degree of L. L. D. was recently conferred on this gentleman by Dickinson college.

Maltmorency mills at Quebec. This establishment, the most extensive of the kind in North America, was totally destroyed by fire in the course of the night of the 25th ult. The Quebec Gazette states, that there were in the immediate vicinity of the mills about 150,000 deals, few of which have been saved. Of these, a number had been sold to different merchants in town. The mills, and by far the greater part of the timber, belonged to Peter Patterson, esq. The insurances are £3,000 on the mills, one-half insured at the Quebec office and the other half at the Alliance office, and £3,000 on the deals, also insured in equal proportions at the same offices. The value of the property lost cannot be much under £20,000, nearly \$100,000.

Chief cities of the world. A very ingenious calculation is given in a late German publication of the hundred most populous cities in the world. These are Jeddo, in Japan, 1,680,000 inhabitants; Peking, 1,500,000; London, 1,500,000; Hans Ischen, 1,000,000; Calcutta, 900,000; Madras, 817,000; Nankin, 800,000; Congo Ischen, 800,000; Paris, 717,000; West China, 600,000; Constantinople, 597,000; Benares, 530,000; Kio, 520,000; Su Ischen, 500,000; Hong Ischen, 300,000, &c. The fortieth in the list is Berlin, containing 193,000; and the last, Bristol, 57,000. Among the hundred cities, two contain 1,500,000; two upwards of 1,000,000; nine from 500,000 to 1,000,000; twenty-three from 200,000 to 500,000; fifty-six from 100,000 to 200,000; and six from 57,000 to 100,000. Of these one hundred cities, fifty-eight are in Asia, and thirty-two in Europe; of which four are in Germany, four in France, five in Italy, eight in England, and three in Spain; the remaining ten are divided between Africa and America.

A reverend runaway. A writer in the N. H. Patriot states that the rev. Mr. Arnold, of Ossipee, who was tried last fall at Dover for abusing a child, lately attended at a four days' meeting at Sandwich and was caught in an "astonishing affair" with a girl, a recent convert; that his parish dismissed him, and that he then converted what property he had into cash, not even spring his wife's silver spoons, and ran away with his hopeful convert, to parts unknown.

Mary Ann Higgins, a handsome girl, aged 19, was convicted at Warwick assizes, of administering arsenic to her aged uncle, with a view to kill him and obtain his property. The old man died from the poison; the prisoner was believed to be instigated to the act by her sweet-heart, Edward Clarke, who was tried as an accessory, but acquitted. She was executed at Whitchy common, near Coventry. It is supposed that from 15 to 20,000 persons were present at the execution.

[London pap.]

Dog fish. A Boston paper of the 10th inst., says—The cod fishery on the banks and on shore has this season been unprofitable, in consequence of the innumerable dog fish which infest the grounds. Both the market fishermen from this quarter, and those who cure fish, make loud complaints of their depredations; they can scarcely get their hooks into the water before the bait is seized by the dog fish, which also drive off the cod and haddock. The dog fish are killed in vast numbers, yet they seem scarcely to be diminished. At this season they are so small, that their rough skins, used to polish furniture, &c., are not worth taking off. Late in the fall they are of some value.

Died, on the 22nd Sept., in Albemarle county, Virginia, col. *Reuben Lindsay*, in the 84th year of his age, a gallant soldier of the revolution, and a much valued private citizen.

—, at Wapahgonkonneta, about the 1st inst. *Black-hoof*, one of the chiefs of the Shawanoe tribe of Indians,

aged about 114 years. He was well known throughout the western country, as a formidable enemy in war, although the latter part of his wayfaring life was devoted to the American cause. He was at St. Clair's, Harmer's, and Crawford's defeats, and perhaps, at the time of his death, was the last man living who was at Braddock's defeat.

An old sailor. Some of the papers state that captain Crocker, of the packet ship *Pacific*, has now completed his 160th passage across the Atlantic—they should say his hundred and sixty second passage.

[N. Y. Mer. Adv.]

A slave ship with 120 slaves on board, was lately wrecked on Anegada, one of the Virgin Islands; she struck so suddenly that it was impossible to unchain a majority of the poor wretches, and a large number were drowned.

"Big Sam," the British king's porter at Carlton house, was seven feet five inches high in his stocking feet, and a well made man. He was a Highlander.

FOREIGN NEWS.

An arrival at Boston brings Liverpool dates to the 6th September, inclusive.

Preparations were making for the coronation of the king and queen of England, which was to have taken place on the 8th of September. The bishop of Canterbury had been selected to place the crown on their heads, who would also administer the oath; the bishop of London was to preach the sermon on the occasion. Several bishops would read the litany.

The reform bill was still progressing slowly, and it was expected that it might possibly get through the house of commons by the time of the coronation. The harvest was every where abundant in England, and the weather remarkably good.

The French government had delivered to the national guards 860,151 muskets, 216,000 sabres and 500 pieces of artillery. The army amounted, according to actual returns, to 403,000 men.

In Belgium affairs had been amicably adjusted, and king Leopold had reviewed a portion of the French army, which was to be forthwith withdrawn. His reception was enthusiastic.

The fate of Poland is truly alarming, and calculated to awaken the liveliest fears. The account of the disaffections of Warsaw are repeated, and at the very moment when the seeds of civil strife were germinating in the capital, the whole Russian army, in four divisions, was advancing upon it; so that under such disadvantageous circumstances, the liberty of the generous Poles are to be staked upon the issue of a single battle. The Russian army consists of 110,000 men while that of the Poles number but 50,000. The Polish out-posts retired before the approach of the Russians, who were within three leagues of Warsaw.

Since the above was in type, another arrival at New York, brings Liverpool dates to the 9th September.

ENGLAND.

The duteless of Kent will not attend the coronation of the king—nor permit her daughter, the princess Victoria, (a little girl who is the proscribed mistress of many millions of Englishmen, Irishmen and Scotchmen), to attend! Here's the rub! This proceeding had caused a great excitement, and the duteless is pretty freely abused in the papers, as having forgotten from whence she came.

The "reform bill" passed through the committee of the house of commons on the 7th ultimo. The ordeal to which it is yet to be subjected may detain it some time longer before it reaches the upper house.

Bills were pending in the house of commons to reform existing abuses in Scotland and Ireland.

Money was scarce in England, and a great deal of distress among the merchants. A man named Keight, a workman in the mint, had absconded with 2,806 blank sovereigns—he is supposed to be residing near N. York.

FRANCE.

About 13,000 of the French army in Belgium will remain there for a time. Many officers of the French army at Marseilles, were about to resign, and fears were

entertained that it would add to the elements of civil war, as the Carlists were continually on the alert, watching every movement which could possibly tend to advance the hopes of the fallen dynasty. The duteless of Berri was at Massu, where report says Charles the 10th had just arrived.

BELGIUM AND HOLLAND.

A new protocol had been received requiring Belgium to give up the Dutchy of Luxemburg to Holland. The *Clara Polder*, a district of country containing about 1,500 acres of the finest land in Europe, had been inundated and the improvements destroyed, together with the present crops, by a breach made by the Dutch in the sea dyke to the east of the Capitaleum dam. What adds to the distress of the inhabitants is, the Dutch had forbid the closing of this break.

POLAND AND RUSSIA.

The accounts from Poland are filled with deep and melancholy interest. General Skrzynecki has resigned the command of the army to general Dembinski, compelled, doubtless, by the force of circumstances, so to do, in order that faction might not have further pretext to injure his country, through their hostility and jealousy of himself. His resignation is full of generous devotion to the cause of Poland. We give his order resigning the command as well as that of Dembinski on assuming it.

"Warsaw, August 13.

"ORDER OF THE DAY.

"Head-quarters of Bolinow.

"Soldiers!—Called by the choice of the nation and your confidence, to exercise the command-in-chief over you in the sacred cause of our country, I shared at your head in all the glorious privations and dangers to which you have been exposed. Far from all feeling of self-love, I never sought the power which was confided to me; I accepted it, and have hitherto exercised it. Though I was sensible that it was accompanied with many and great difficulties, it was not my intention to yield to those difficulties, but I was resolved to be the first to give the example of that perseverance of which we have so much need in our present situation.

"A deputation named by the diet have found it advantageous for the good of the country to confide the chief command of the army to other hands. Whilst I submit with resignation to this interference, I will address you for the last time, to testify to you the entire esteem with which I am filled for your bravery, your devotedness and zeal. Your country judges by what you have hitherto done, of what it may expect from you in future. The commander, whom the representatives of the nation have placed over you, is already known to you by his bravery and his resolution, since by overcoming the greatest difficulties he saved your countrymen from that destruction which, for a less resolute man, would have been inevitable. Let us surround him with the confidence and affection his merits deserve. Implicit confidence, obedience, the first virtue of a soldier of every rank, will be a powerful support on our side to the new commander; and I who had the honor to be at your head, may now be allowed to aspire to another, that of fighting in your ranks, and giving you an example of the discipline, which I have hitherto required from you, and to which I will with you willingly submit. Soldiers, let us always unite magnanimity and obedience with courage and zeal, and with God's help Poland will still rise from its ruin—Poland forever.

"SKRZYNECKI.

"The commander-in-chief of the armed national force."

ORDER OF THE DAY.

"Head-quarters, Bolinow, August 12.

"Soldiers! Called by the will of the diet from your ranks to your head, I take on me this post full of confidence and hope. The exercise of the chief command is not difficult where all are animated by one feeling—that of sacrificing themselves for the deliverance of the country. Yes, it will certainly find it in your courage, and the perseverance which is able to conquer every thing. Citizens and soldiers I have served among you during this national war; I therefore know the spirit that animates you, and will not exert you to obedience and order, so much only I will say, that extraordinary efforts are required—only one thought should direct all our movements, that of renouncing every thing that men

prize most highly, in order to secure our independence. Whatever these movements may be, the zeal which inspires you in battle must not cool during your preparations for it. If my military life hitherto, and bringing back to their families some thousands of your brethren whom you perhaps had already given up as lost, can give me any title to your confidence, I claim it of you in the name of God and your country. I know that I can only be strong through your strength; I know also the demands of the nation and the army, and will not disappoint your expectations. You shall see me every where partake in your hardships and dangers, but I must also be allowed to hope, that when we go altogether to the combat, you will depend on me as I do on the country and you. Its deliverance alone guides your steps as well as mine.—Let us keep away every thing that might weaken the moral strength of the army, and free ourselves, and we shall leave to our posterity a free country.

"HENRY DEMBINSKI,

"Commander-in-chief, *ad interim*, of the armed national forces."

With respect to the choice of a future commander-in-chief the votes are divided between four persons: Dembinski Pradziński, Uminski and Wladislaus Zamoski.

The Augsburg Gazette, of the 24th August, states that the Poles had been compelled to abandon their entrenchments at Blioriss, and the Russians had advanced within five miles of Warsaw. The Polish army marched out of Warsaw on the 8th to give them battle, but before the troops had taken their positions, a smart action between the cavalry of the opposing armies took place, the Polish cavalry was defeated and driven towards the city, when a popular tumult ensued. Generals Jankowski and Bukowski, who had been acquitted of the charge of conspiracy, were dragged from their houses and hanged, and about fifty persons lost their lives. General Dembinski, was deprived of the chief command, but reinstated again, in a few hours, much against his will.

Warsaw was invested on all sides, and its capitulation expected. Another account confirms the previous one as to the riot, but fixes its date on the 15th and 16th August.

A terrible revolt had broken out in the Russian military colonies, and a levy of troops had been made in the ratio of 4 men for every 600 souls. This movement it was hoped might favor the cause of Poland.

Prior to Skrzynecki's resignation, he had entered into a negotiation with Paskewitch for a cessation of hostilities. It was not known whether his successor would pursue the same course. The cholera still raged in many places, but had abated in others.

PORTUGAL.

An insurrection broke out in Lisbon on the 21st August. A part of the 4th regiment declared for Donna Maria II, proceeded through the streets with colors flying, and band playing the constitutional hymn. They were cheered by the people. On reaching the Rocio square, they were surrounded by the different regiments of Miguel's troops, and were charged upon by the cavalry. The 4th maintained their ground and compelled the cavalry to retire, but were ultimately overpowered. During the insurrection, Don Miguel shut himself up in Belem castle, and sent his staff to reconnoitre. Some shots were fired at them. Theconde St. Martino, and the baron de Befura, were shot, being taken for Don Miguel, being very like him in stature. From 150 to 300 were killed. Mr. Grundy, an Englishman, had been badly treated by the Portuguese soldiers, and on applying to the commander-in-chief, Coude de Rodadoo, for redress, the ruffian cut him with his sabre, and his men bayoneted him and left him for dead. The British consul had remonstrated, and ordered the British corvette, Despatch, to anchor in front and near to the Commercial square, to afford relief and protection to British subjects. Trade is completely at a stand, all is terror and dismay in the city; no one dare show himself out of doors.

CONSTANTINOPLE.

Accounts from Constantinople of the 2d August, state, that 1,800 houses of Pera, (nearly the whole of it), had been destroyed by fire; 60,000 persons were without shelter and had lost most of their property.

BORDER TROUBLES.

From the Portland Courier.

A messenger from Madawaska. Mr. Baker, from the Madawaska settlement, the same individual who was formerly imprisoned by the British authorities, is now in this town, having come on by express for the purpose of conferring with the executive of the state.

We understand that he reports that the inhabitants of Madawaska met and organized themselves as a town corporation, agreeably to a law of our state legislature, passed last winter. The British authorities hearing of it, remonstrated and threatened. Again at the time of the annual election, the inhabitants met and chose a representative. The authorities of New Brunswick then came with an armed force and arrested as many as they could find, who took any part in the town meeting, and carried them off to Fredericton, probably to be imprisoned.

Mr. Baker and a few others fled to the woods and escaped being arrested. He hung round the settlement a few days, so near as to communicate occasionally with his family, [the women being allowed to go back and forth from one neighborhood to another.] The French inhabitants yielded to the requisitions of the British and were permitted to remain, but the Americans refusing to promise allegiance, were carried off in a body.

We understand some of the prisoners addressed letters to the governor of this state while on their way to Fredericton. We presume a statement will immediately be forwarded to the general government. It is time our government should come to some decision in this business.

From the St. John (N. B.) Observer.

We learn, from respectable authority, that the sheriff of York county has brought down from our territory at Madawaska, several of the parties concerned in the recent trespasses in that quarter, and who are now confined in jail at Fredericton, to be dealt with as the law directs, and at their own audacity deserves.

FREE TRADE CONVENTION.

From the Philadelphia Gazette.

[The following was accidentally omitted, in the report of the proceedings on the morning of the last day of the convention.]

Mr. Pointexter offered a resolution for the appointment of a committee to confer with the tariff convention about to assemble at New York.

The adoption of this resolution would, he said, show a conciliatory spirit, and, perhaps, lead to a satisfactory arrangement. If the tariff convention refused to confer with our committee, we should appear advantageously before the public, as having made an offer for friendly arrangement.

Chancellor Harper, of South Carolina, could see no possible good that would result from the appointment of such a committee. The two conventions differ in principle. They believe protection to manufactures to be constitutional. We believe it to be unconstitutional. They believe it to be right, we believe it to be wrong, to favor particular branches of industry. It can hardly be expected that they will give up their principles, and we shall certainly not give up ours. There is no room for a compromise—no ground on which we can meet one another half way.

A motion to adjourn, prevented the question from being taken on Mr. Pointexter's resolution.

The yeas and nays on Mr. Gallatin's motion to strike out so much of the address, as referred to the constitutional question, were as follows:

YEAS.

Massachusetts.—Theodore Sedgwick, Joseph Ropes. Rhode Island.—William Hunter.

New York.—Jonathan Goodhue, Thomas R. Mercein, John A. Stevens, Isaac Carow, John Constable, James Boorman, George Griswold, Benjamin L. Swan, George T. Trimble, Zebudee Rieg, Albert Gallatin, Jacob Lorillard, James G. King, Charles H. Russell, Isaac Bronson, James Heard, Silas M. Stillwell.

New Jersey.—C. L. Hardenburg, J. C. Van Dyck, J. Bayard Kirkpatrick, Miles C. Smith, Henry Clow, Henry Vethake, John R. Thomson, R. F. Stockton.

Pennsylvania.—Edward D. Ingraham, Samuel Spackman, Thomas P. Cope.
Margland.—George Hoffman, John I. Donaldson.
N. Carolina.—Edward B. Dudley.
S. Carolina.—Henry Middleton.

NAMES.

Maine.—Joshua Carpenter, Charles C. Clapp, S. H. Mudge.

Massachusetts.—Henry Lee, T. S. Pomeroy, Samuel Sweet, Gideon Tucker, John L. Gardner, George Peabody, Pickering Dodge, Isaac Newhall, Henry Williams, Edward Craft, William Goddard, Ebenezer Breed, Thomas P. Baneroff, John Pickens.

New York.—Preserved Fish, John Leonard, Edwin Bergh, H. Kneeland.

New Jersey.—John Porter.

Pennsylvania.—Joseph R. Evans, George Emlen, Clement C. Biddle, J. M. R. Day, E. Littel, Samuel F. Smith, Isaac W. Brown, Richard Price, Henry R. Watson, John A. Brown, Philip H. Nicklin, Condy Raper, William McIlhenny.

Maryland.—William W. Handy, Arnold D. Jones.

Virginia.—Philip P. Barbour, Henry E. Watkins, Richard Booker, James M. Garnett, Samuel L. Venable, Thomas R. Dew, William Maxwell, Benjamin F. Dabney, R. O. Grayson, S. A. Storrow, Charles Cooke, John W. Jones, Walker Hawes, Philip A. Dew, John Brockenbrough, Thomas Miller, William G. Overton, George C. Dromgoole, Randolph Harrison, Charles Yancey, Robert Hurt, Ferdinand W. Rusque, Malcolm Macfarland, Thomas W. Gilmer, Burwell Bassett, H. R. Anderson, Josiah Ellis, Charles Everett, Alex. Gordon Knox, George M. Payne, James S. Brander, William O. Goode, William Townes, John Dickinson, William B. Rogers, William P. Taylor, John H. Bernard, Linn Banks, William H. Roane, James Lyons, John Tabb, James Jones, Thomas T. Giles, Archibald Bryce, jr., James Magruder, Benjamin H. Magruder, William Daniel, jr., S. H. Davis, Littleton Usher.

N. Carolina.—Joseph B. Skinner, Louis D. Wilson, James Iredell, William R. Holt, Joseph B. G. Roulhac, William A. Blount, Joseph D. White, S. T. Sawyer, David Outlaw, Thomas S. Hoskins, John E. Wood, J. W. Cochran, Nathaniel Bruer.

South Carolina.—Zachariah P. Herndon, James G. Spann, F. W. Davis, James Cuthbert, Thomas Pinckney, T. D. Singleton, Wm. Butler, Joseph W. Allston, Henry N. Cruger, Charles Maebeth, Henry C. Young, A. P. Butler, H. A. Middleton, Thomas R. Mitchell, W. Wilkinson, Philip Tullyman, Stephen D. Miller, Wm. Pope, John Fraser, Job Johnson, John D. Edwards, John Carter, Langdon Cheves, Joseph E. Jenkins, Hugh Wilson, J. H. Glover, T. Pinckney Alston, Edward Richardson, William Harper, Wm. C. Preston, Henry Middleton, Daniel E. Huger, Hugh S. Legare, John Taylor, Thomas T. Pleyer, J. Herkley Grimal, James Rose, Wm. Smith, Thomas Williams, jr., Thomas Flemming.

Georgia.—Eli S. Shorter, Robert Habersham, Alexander Telfair, John Cumming, Seaborn Jones, J. Macpherson Berrien.

Alabama.—John A. Elmore, Benajah S. Bibb, Enoch Parsons, Alfred V. Scott, John W. Moore, Howell Rose, P. Waters, Henry Goldthwaite, Ward Taylor, Archibald P. Baldwin, Wm. J. Mason.

Mississippi.—George Poindexter.

Tennessee.—Wm. E. Butler, Alexander Patton.—159
 [It is not worth while to repeat the names on the adoption of the address. It may be sufficient to give those in the negative.]

Against the address.

Massachusetts.—Theodore Sedgwick, Joseph Ropes.

Rhode Island.—Wm. Hunter.

Connecticut.—Roger Minot Sherman.

New York.—Thomas R. Mercein, John A. Stephens, Isaac Carow, John Constable, Jas. Boorman, George Griswold, Benjamin L. Swan, George T. Trimbale, Zebedee Ring, Albert Gallatin, James G. King, Charles H. Russell, Silas M. Stilwell.

New Jersey.—C. L. Hardenburg, J. C. Van Dyck, J. Bayard Kirkpatrick, Miles C. Smith, Henry Clow, Henry Vethake, John R. Thomson, R. F. Stockton.

Pennsylvania. Samuel Spackman, Thomas P. Cope. 27.

There were 170 votes for it. Mr. Carpenter, of Maine, however has addressed a note to the editor of the Philadelphia Inquirer, saying he does not believe the tariff to be unconstitutional—and "had given as a reason for voting for the address, that he had no objection to spreading before the American people, the reasons of that portion of the people, who, on that subject differed from him in opinion—but he wished and trusted they would not adopt them as his."

When the question was taken on the following resolution, the gentlemen present recorded their names in the affirmative, except Zachariah P. Herndon and Henry C. Young, of South Carolina.

Resolved, That a committee to consist of one member to be selected from each state represented in this convention be appointed by the president, whose duty it shall be to prepare a memorial to congress, setting forth the evils of the existing tariff of duties, and asking such a modification of the same, as shall be consistent with the purposes of revenue, and equal in its operation on the different parts of the United States, and on the various interests of the same, that it shall be the duty of the said committee to collect the evidence necessary to support the said memorial, to present it to congress at its next session, and to attend personally or by a sub-committee at Washington for the purpose of promoting the same.

That the said committee be instructed to insist in the said memorial—

That the present tariff system is unequal in its operation and therefore unjust, that it is oppressive because it enforces burthens on the many for the benefit of the few—unwise and impolitic, since its tendency is to disturb the harmony of the union—that it is inconsistent with the principles of free government, and at variance with that spirit of justice and mutual concession, in which the constitution was conceived and adopted, operating unequally and unjustly upon the different portions of this union, having a direct and almost inevitable tendency to demoralize our people, and calculated to produce discontent among the people of the United States, by a numerous and respectable portion of whom, it is believed to be unconstitutional, and finally that its effect is to diminish the productive resources of the country, and to lessen the amount of the necessities and conveniences of life, which are enjoyed by our people, and is in many respects infinitely more oppressive upon the poor than upon the rich.

And that the said committee be instructed, moreover, to express the willingness of the memorialists to acquiesce in such an interposition of the legislative power as shall be prospective in its operation, thereby avoiding any sudden revulsion which might operate with undue severity on the manufacturing interest, but tending to the desired result with the least possible injury to the interests which have grown up under the existing system of protective duties.

The following is a correct list of the committee appointed under this resolution.

Albert Gallatin, of New York, *chairman*.
 Henry Lee, of Massachusetts.
 William Hunter, of Rhode Island.
 Roger Minot Sherman, of Connecticut.
 C. L. Hardenburg, of New Jersey.
 Clement C. Biddle, of Pennsylvania.
 George Hoffman, of Maryland.
 Thomas R. Dew, of Virginia.
 James Iredell, of North Carolina.
 William Harper, of South Carolina.
 John M. Berrien, of Georgia.
 Enoch Parsons, of Alabama.
 William E. Butler, of Tennessee.

Judge Barbour's speech on adjourning the Convention. Gentlemen of the Convention:

The expression of my sincere and cordial thanks is the only return which I have to offer you, for the approbatory resolution which you have just passed.

Not to feel gratified at such a manifestation of good opinion from such a body, would on my part betray

an utter want of sensibility and of gratitude—not to acknowledge it, would be an equal want of candor.

Gentlemen, you will pardon me for detaining you a moment, in giving vent to feelings of another character, in which I am sure every member present participates.

We came hither under extraordinary circumstances. We came in obedience to the wishes of the great community which we represent, to consult together, with a view to devise a constitutional and peaceable remedy for the grievance of which they complained—that is to say, a wrongful and oppressive system of taxation. We came amidst the hopes and fears of our constituents.—They indulged indeed the hope of success, yet it was a hope clouded with the apprehension of failure, from that contrariety of views, and varying shades of opinion, which so often prevail in numerous assemblies of men.

I congratulate you gentlemen—I congratulate our constituents, and our common country, may I congratulate the great principle of free trade of which we are the advocates, that the result of our deliberations has more than disappointed all their fearful apprehensions.

It has done more—It has given to the wind, the ill-omened auguries of those who exultingly predicted a plentiful harvest of distraction in our councils, and the scattering of fire brands, which would kindle the flame of civil war amongst our people. Thank God! This was not our purpose. This is not what we have done—we came here, with peace on our lips, and in our hearts—we have spoken the language of peace and friendly expostulation. We have appealed to our countrymen, and, in the name of justice, have called upon them, for a redress of our grievances.

And will this appeal be in vain? I hope, I trust, I believe, it will not.

I persuade myself, that our countrymen, will listen with respectful attention, to the complaints of their brethren; I persuade myself, that congress too, their and our representatives and servants, will not turn a deaf ear, to a remonstrance coming from a quarter, and supported by a voice to which even the proudest monarch, on a European throne, would feel it to be his duty, to vouchsafe an attentive hearing.

Should this be the happy fruits of our deliberations, we may felicitate ourselves upon having been members of this body,—we may well rejoice, that it will afford a new and gratifying proof of the value of our government.

The experience of the late war, had furnished illustrious evidence of its ability, to carry us gloriously and triumphantly through a perilous struggle with the most powerful nation on the earth.

This would shew its happy aptitudes for a time of peace—it would shew that public opinion, enlightened by information, and guided by justice, will stamp its impress upon the legislative councils of the country. That its every form and pressure will be exhibited in the acts of that legislature, dispensing equal rights to each portion of the community, and causing every wave of discontent, which disturbs the repose of the society, to subside and settle down, into the profound calm of perfect contentment.

That such may be the auspicious results of our deliberations, I invoke the patriotism of our fellow citizens. I invoke the justice of our common country. I invoke the genius of the constitution, and that spirit of harmony, which called it into being.

The address was received with loud plaudits, and the convention declared to be adjourned, *sine die*.

We feel it due to the *History* of this convention to add the following letter addressed to the editor of the *New York American*.

I read with concern your strictures of yesterday on the free trade convention, and submit to your consideration the following remarks.

The gentlemen of the south, I have every reason to know, came to Philadelphia with a determination, not easily shaken, to declare by a formal vote of the convention, that the tariff laws are unconstitutional. Among a variety of other arguments, they were distinctly told,

that if it were clearly understood, that that question was to be discussed and decided, we should immediately return home, as we would not enter into any such discussion, or be present at any such decision. They were further informed, that we had no objection to state the fact, that a large, intelligent, and patriotic portion of the community did believe these laws to be in violation of the constitution; but beyond a mere statement of that, of any other fact, we were unwilling to go. Upon this point, there was the most intense interest, and an immense amount of private conversation.

The address, from circumstances unnecessary to be mentioned, was not I believe the sub-committee at a dinner, until it was read before the general committee, did we know how the gentlemen who drew it up proposed to present this most perplexing, and, indeed, only difficulty. As soon as the address was read in the committee, one of the delegates from New York made the very motion to strike out when it was subsequently repeated by Mr. Gallatin in the convention, but, upon its being stated and avowed on all hands that the reasons set forth in the address were the reasons of others and not of the convention, and that if there were any expressions which could admit of a contrary construction they should be altered, the motion was withdrawn, under the conviction that the two New York delegates alone remained steady in their opposition. Upon principle I did not then, nor do I now see, that any thing was yielded; though, as regards expediency, I was strongly opposed to the course pursued.

Whether you will now think, Mr. Editor, that the south accorded nothing to their northern brethren, I cannot say, but I can assure you, that in abandoning an express vote by the convention, that the tariff laws are a gross violation of the constitution, those gentlemen gave up a point on which many of them had set their hearts.

In conclusion, I am decidedly of opinion that it was infinitely better for the New York delegation to remain and vote as they did, rather than to withdraw. I am further of opinion, that any possible evil which might have resulted from the meeting of the convention, has been prevented. This belief I entertain because I know that the principal, and I believe all the gentlemen who represented the union party in South Carolina, are perfectly satisfied. Lastly, I think that a meeting unprecedented in our country for talents, character, and the great stake which the members hold to the community, which was capable consequently of good or ill to no trifling extent, has done positive service, though with calmer discretion more might have been effected.

A member of the New York delegation.

PRICE OF COFFEE, &c.

Communicated for the Baltimore American.

Memoranda of the prices of St. Domingo coffee, in London, on the 31st December, for several successive years, prepared by a London broker.

Years.	Shillings per cwt.	Years.	Shillings.
1814	95	1823	77
1815	76	1824	59 6
1816	74	1825	55 6
1817	95 6d	1826	50 6
1818	146	1827	38
1819	131	1828	37
1820	119	1829	53
1821	100	1830	34 6
1822	97 6	July 31, 1831	43

Range of prices of St. Domingo coffee in the United States, duty paid.

Years.	Cts. per lb.	Years.	Cts. per lb.
1805	25 a 31	1818	23 a 28½
1806	23 a 32½	1819	23½ a 26
1807	25 a 30	1820	23½
1808	21½ a 27½	1821	25 a 29½
1809	20½ a 26½	1822	24 a 27
1810	17½ a 20	1823	18 a 24
1811	11½ a 17	1824	15½ a 18
1812	12	1825	15½ a 17
1813	17½ a 35	1826	13½ a 15½
1814	20½ a 30	1827	13 a 13½
1815	19½ a 24	1828	12 a 13½
1816	18½	1829	12
1817	18½ a 20	1830	11½

Stocks of all descriptions of coffee in Havre on the 31st July, of the following years—taken from the review of the Havre market, August 1, 1831.

	<i>Mlds.</i>	<i>Tierces.</i>	<i>Bbls.</i>	<i>Bags.</i>
Stock July 31, 1828	258	1,017	2,718	40,239
1829	420	991	2,122	30,025
1830	31	475	780	24,354

The present price of St. Domingo coffee is 12 cents per lb. or, on an average, about the rate which it held for the last three years, though on the 1st of January 1831, the duty was reduced from 5 to 2 cents per lb. The question occurs—whether has the West India grower, or the American consumer of coffee been most benefitted by the lessened duty? The whole cost of importation has been reduced 25 per cent. yet the price of the article remains nearly the same. How do the doctrines of the anti-tariffists tally with this interesting fact? It certainly shews, what we have oftentimes stated, that a duty on goods imported is not necessarily a tax on consumers—and it is well known that the diminished duty on coffee in the United States soon increased the price of the article in the West Indies. Will the "philosophers" look into this?

But we heartily approve of the reduced duty on coffee. It has at least the effect to make a more lively and better demand in the West Indies for the productions of our soil and workshops—and the cost of every commodity can only fairly be measured by the means afforded to purchase it.

BRITISH "FREE TRADE."

Speech of Mr. ROBERTSON in the British house of commons on a proposition to reduce the duty on French wines.*

Mr. Robertson said that the right honorable gentlemen had made an extraordinary use of his statements, and he confessed he thought the opponents of the measure would not derive much advantage from his arguments [hearts and a laugh.] The right honorable gentleman placed the whole question on the perpetual character of the Methuen treaty; but it must be recollected, that at the end of the fifteen years after the signing of the treaty, either party was at liberty to put an end to it, if they thought fit. Dismissing it, therefore, he meant to apply himself to the purely commercial point of the question, and on that he believed the government had committed a very dangerous error. The vice president of the board of trade (Mr. Thompson) had asked, with an air of triumph, if they thought that the Portuguese would deprive themselves of some of the most necessary articles of consumption, purely because this country admitted French wines on better terms? He (Mr. Robertson) would ask, however, what was to prevent the Portuguese from equalising the duties on all the articles of export from England? According to the returns of 1830, it appeared that exports to Portugal on official value amounted to two millions and a half, in addition to 200,000*l.* worth of cod shipped from our colonies of Newfoundland. The fish which Portugal took from the fisheries of Newfoundland amounted to 300,000 kiltres. The transport employed 100 sail of vessels, and it was received at a duty of 15 per cent., while the fish brought by our great rivals, the Americans and the Norwegians, paid a duty of 30 per cent. It was said, however, that British industry might safely be left to a competition in this supply of cod fish. But what was the result of that competition in the case of Spain? Twenty years ago the Norwegians and Americans supplied Spain with 10,000 kiltres, and England carried 80,000 kiltres. At the present moment the 80,000 were supplied by the Americans and the Norwegians, and the 10,000 kiltres by England. The truth was, that Portugal took more from this country than Norway, Sweden, Denmark and France, with their population of 45,000,000. We took, he said, from several states ten

times as much as we did from Portugal, and this proved that imports had nothing to do with this question, but that it entirely depended upon other circumstances. He strongly protested against the project of the noble lord, in which he proposed to give up a certain market in Portugal, upon the speculation of obtaining a market in France—a speculation, too, which there was no reason to believe could be successful. The noble lord wished to reduce the duties on French wines for the purpose of encouraging France to enter into a more extensive trade with us, and to admit our manufactures. No encouragement, he contended, was at all likely to make France do any such thing. Had we not even experience whereby to be guided on this point? In the year 1825, the duty on French wines had been reduced 6*s.* 6*d.* a gallon, and the result had been that our imports from France were now twice as great as they were at that period, and our exports only half what they had then been. Now it was only proposed to reduce the duty 2*s.* 9*d.*, and what good could they possibly expect from that? *It was idle for us, he contended, to endeavor to persuade other nations to join us in adopting the principle of what was called "free trade."* Other nations knew as well as the noble lord opposite, and those who acted with him, what we meant by "free trade" was nothing more or less than by means of the great advantages we enjoyed, to get a monopoly of all their markets for our manufactures, and to prevent them one and all from ever becoming manufacturing nations. When the system of reciprocity and "free trade" had been proposed to a French ambassador, his remark was that the plan was excellent in theory, but to make it fair in practice, it would be necessary to defer the attempt to put it in execution for half a century, until France should be on the same footing with Great Britain in marine, in manufacture, in capital, and the many other peculiar advantages which it now enjoyed. The policy that France acted upon was that of encouraging its native manufactures, and it was a wise policy; because, if it were freely to admit our manufactures, it would be speedily reduced to the rank of an agricultural nation; and, therefore, a poor nation, as all must be, that depend exclusively upon agriculture. *America, too, acted upon the same principle with France. America legislated for futurity—legislated for an increasing population. America, too, was prospering under this system. In twenty years America would be independent of England for manufactures altogether.* He begged to ask the noble lord why it was that government, embarrassed as it was with the reform bill, should have brought forward the question of the wine duties at all this year? What was the reason; what the pressing necessity? In this measure ministers were departing from the principle they had themselves laid down; they were taking a tax off the wealthier and higher classes, and imposing it upon the middle and lower classes. Either considering the measure as a question of policy or finance, it was one of the worst and most unfortunate which could possibly be submitted to the house of commons. If they even did succeed in transferring the whole wine trade from Portugal to France, all that they would have effected was, to give advantages to a rival in a maritime and commercial point of view, and to take advantages away from a nation which never could compete with us, either as a maritime, commercial, or manufacturing country. As a question of policy, he therefore, the measure was bad; as a question of finance, he had shown it was bad. It would do great injury to the wine trade in this country, and what be of no benefit to that class of individuals who could afford to drink Champagne, Burgundy and Claret. The quantity of French wines, of the first growth, actually produced was so small, that the import could not be increased; and with French wines of the second and third growth, the people of this country never would be satisfied. He contended that the policy pursued by all statesmen was to encourage the connection with the friendly country which afforded us the market, in preference to the rival state which withheld it. Even Mr. Huskinson, when America raised her tariff, declared, that if this line of policy were persevered in, that perhaps England might, in self-defence, raise the duties in her turn, and take cottons from Brazil, and so show America we could do without her. During the

*Not Mr. Robinson, former chancellor of the exchequer. He was made a lord of, and is now called Goulcher.

war, he remarked, we were the carriers of the whole world, and well nigh monopolized its commerce; but since the peace, France, Germany, America, and all the other countries of the world had proceeded upon the principle of encouraging and protecting native manufactures. England alone, by departing from this policy, had injured her trade and commerce, and was indubitably accelerating that distress and difficulty which would hereafter assail us. If the system of establishing low prices for manufactures were continued—if the price of agriculture produce were to be lowered by the repeal of the protecting corn laws (which would be the next thing called for)—if we were to have all our corn from Poland—our silk and all the other commodities we wanted from other countries, it was true the consumer—that is the few—would be benefited, but the many would be ruined; and then, he begged to ask the noble lord, who was to pay the taxes? After the corn laws, the next thing meddled with would be the funds. It was impossible the lounded system could be continued much such an increasing cry for low prices. And the result of all these alterations would be, to place the country in the worst of all situations—namely, that of having only two classes, the extremely wealthy and the extremely poor. He should, therefore, under these circumstances, move, as an amendment, the resolutions of which he had given notice. He was ready to give the noble lord the advantage of the increased duty on some of the foreign wines, but what he objected to was the reduction of the duty on French wines, while there was at the same time an increase of the duty on the Portugal wines. The honorable member then read his resolution, which stated the amount of exports and imports as between this country and Portugal, and as between this country and France, contrasting them with the view of showing that, as regarded population, the imports from France, as compared to the exports to that country, were much larger than as between this country and Portugal, much to the advantage of France. He begged to add now, that since a reduction of the duty on French wines, the exports to that country had been diminished.

PROTECTION OF MANUFACTURES.

"The 'National Intelligencer,' in publishing the address of the Free Trade convention said—it will be seen that it does not affirm the unconstitutionality of the tariff laws, but only suggests them to be contrary to the spirit of the constitution. Their unconstitutionality can only be maintained by a perversion of reasoning, and a total disregard of all testimony. To believe it, is a belief because of impossibility. The constitutionality of the protection afforded to home manufactures by duties on imports was indeed never seriously questioned until a late year. When our government went into opposition, it was the first 'thing thought of,' not only by congress, but by the people, and by the people, too, of different parts of the union. The great work, which we now have in the press, (the 'American State papers'), contains numerous proofs of this fact. We have before us at this moment a copy of the first petition ever presented to congress, which was on the 11th day of April 1790. It was from the people of the city of Baltimore, and bears the signature of several hundred citizens, of whom few besides the present venerable senator from Maryland, (General Smith), now survive. It seems to us to be of sufficient interest at the present moment to justify our calling the attention of our readers to it by copying it entire. Here it is: 'To the president and congress of the United States, the petition of the tradesmen, mechanics and others, of the town of Baltimore, humbly sheweth.

"That, since the close of the late war, and the completion of the revolution, your petitioners have observed, with anxious regret, the manufacturing and trading interests of the country rapidly declining, while the wealth of the people hath been prodigally expended in the purchase of those articles, from foreigners, which our citizens, if properly encouraged, were fully competent to furnish.

"To check this growing evil, applications were made by petitions, to some of the state legislatures: these guardians of the people, in several of the states, interposed their authority: laws were by them enacted, with the view of subduing, or, at least, diminishing the rage for foreign, and of encouraging domestic manufactures; but the event hath clearly demonstrated, to all ranks of men, that no effectual provision could reasonably be expected, until one uniform efficient government should pervade this wide-extended country.

"The happy period having now arrived when the United States are placed in a new situation; when the adoption of the general government gives one sovereign legislature the sole and exclusive power of laying duties upon imports; your petitioners rejoice at the prospect this affords them, that America, freed from the commercial shackles which have so long bound her, will see and pursue her true interest, becoming independent in fact as well

as in name; and they confidently hope, that the encouragement and protection of American manufactures will claim the earliest attention of the supreme legislature of the nation; as it is an universally acknowledged truth, that the United States contain, within their limits, resources amply sufficient to enable them to become a great manufacturing country, and only want the patronage and support of a wise, energetic government.

"Your petitioners conceive it unnecessary to multiply arguments to so enlightened a body as the one they have now the honor of addressing, to convince them of the propriety and importance of attempting to measure so obvious a necessity, and indeed, indispensable as every member must have observed and lamented the present melancholy state of his country; the number of poor increasing for want of employment; foreign debts accumulating; houses and lands depreciating in value; trade and manufactures languishing and expiring. This being a faint sketch of the gloomy picture this country exhibits, it is to the supreme legislature of the United States, as the guardians of the whole empire, that every eye is now directed: from their united wisdom their patriotism, their ardent love of their country, your petitioners expect to derive that aid and assistance, which alone can dissipate their just apprehensions, and animate them with hopes of success in future, by imposing on all foreign articles, which can be made in America, such duties as shall be just and equitable in preference to their labor, and thereby discouraging that trade which tends so materially to injure them, and impoverish their country; and which may, also, in their consequences, contribute to the discharge of the national debt, and the due support of government.

"Your petitioners take the liberty to annex a list of such articles as are, or can be, manufactured in this country, in moderate terms; and the humanity trust that the legislature will fully consider their request, and grant them, in common with the other mechanics and manufacturers of the United States, that relief which, in your wisdom, may appear proper."

[Here follows, in the original, a list of articles manufactured in the city of Baltimore, and state of Maryland, which it does not seem necessary to copy.]

Such was the language of that day, and such the view which the patriots who carried the country through the revolution took of the nature and objects of the general government; and the first thing which they expected congress to attend to was "the encouragement and protection of American manufactures," by a tariff of duties on foreign goods imported. Yet at this day it is gravely maintained, and indeed solemnly resolved, after a lapse of forty-two years, that the tariff is unconstitutional!

Just one week after the above petition, another was presented to congress from the citizens of New York, from which the following is extracted:

"Your petitioners conceive that their countrymen have been deluded by an appearance of plenty; by the profusion of foreign articles which has deluged the country; and thus have mistaken excessive importation for a flourishing trade. To this deception they impute the continuance of that immoderate prepossession in favor of foreign commodities, which has been the principal cause of their distresses, and the subject of their complaint.

"Wearied by their fruitless exertions, your petitioners have long looked forward with anxiety for the establishment of a government which would have power to check the growing evil, and extend a protecting hand to the interests of commerce and the arts. Such a government is now established. On the promulgation of the constitution just now commencing its operations, your petitioners discovered in its principles the remedy which they had so long and so earnestly desired. They embraced it with ardor, and have supported it with persevering attachment. They view with the highest satisfaction the prospects now opening and adorning this auspicious period. To your honorable body the mechanics and manufacturers of New York look up with confidence, convinced that, as the united voice of America has furnished you with the means, so your knowledge of the common wants has given you the spirit, to unbind our fetters, and rescue our country from disgrace and ruin."

A few days afterwards, another petition was presented from the inhabitants of Boston of which the following is an extract:

"Your petitioners need not inform congress that, on the revival of our mechanical arts and manufactures depends the wealth and prosperity of the northern states; nor can we forbear mentioning to your honors that the citizens of these states conceive the object of their independence but half obtained till those national purposes are established on a permanent and extensive basis by the legislative acts of the federal government. Unless these important branches are supported, we humbly conceive that our agriculture must gradually decline, and the impoverished state of our exports will eventually lessen the demand for the produce of our lands."

"Your petitioners formerly experienced the patronage of this state legislature, in their act laying duties and prohibitions on certain articles of manufacture, which encourages our petitioners to request that heavy duties may be laid on such articles as are manufactured by our own citizens, humbly conceiving that the impost is not solely considered by congress as an object of revenue, but, in its operation, intended to exclude such importations, and, ultimately, establish these several branches of manufacture among ourselves."

At that day the honest people who made the constitution, it will be seen, so far from having any misgivings of mind as to the power of congress to protect manufactures, by imposing duties, was a leading object for which the general government was established.

We ask the anti-national editors to do just so much justice to the general government and the tariff laws, as to copy the above statement of facts concerning the early legislation of congress.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 9—Vol. V.

BALTIMORE, OCT. 29, 1831.

[Vol. XLi. Whole No. 1,049]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE TARIFF CONVENTION. At the meeting of the convention, which assembled in the city of New York, on Wednesday last, to consult on measures connected with the protection of domestic labor, delegates from thirteen states, and the District of Columbia appeared. At half past 10 o'clock, A. M. James Tallmadge, of the city of New York, was called to the chair, and Ezekiah Niles, of Baltimore, appointed secretary, until the convention could be organized. A committee was then appointed, consisting of three persons from each state, to consider and report on the mode of organization. In conformity with the recommendation of this committee, the following officers were unanimously chosen, William Wilkins, of Pennsylvania, president; Joseph Kent, of Maryland, James Tallmadge, of New York, George Blake, of Massachusetts, and Lewis Condict, of New Jersey, vice presidents; Ezekiah Niles, of Baltimore, Robert Tillotson, of New York, Charles Payne, of Vermont, and Joseph H. Pierce, of New Hampshire, secretaries.

WE stated in our last, that Henry Smyzer, of York county, Pa. had been elected to congress from that district—it should have been to the senate of the state legislature.

FINE WOOL. A letter addressed to the editor from the western part of New York, says, "wool has become a very important and the principal article of profit in this region. There are many fine flocks of sheep, of from 200 to 2,000—principally mixed merinos, and mixed with Saxon. While on this subject, allow me to make a few remarks on the growing of fine wool, in this country. Having formerly been engaged in that business in Saxony, and now for more than four years in this country, besides having been an importer of Saxon sheep three years previous to my settling and establishing a flock of pure electoral Saxon sheep here, I am enabled, from experience, to make a comparison between that and this country, as it regards that branch of agriculture. Sir, I do not doubt in the least, indeed, I am ready to demonstrate the fact, that this country is capable of producing as fine wool as there can be produced in Saxony. Every thing that nature can afford towards it, is abundantly supplied. All that is wanting now, in my humble opinion, is *experience*. Sheep have been greatly improved within seven years in this country, and but a few (say 10) years more, and it will produce fine wool enough to supply *home demand*. The protection on fine wool, however, is not in proportion to coarse wool, and may in some measure retard the improvement."

INTERNAL IMPROVEMENT. A New York electioneering address, signed by James Lent, chairman, has the following sweeping paragraph:

"During former administrations, particularly that of Mr. Adams, various appropriations had been made for internal improvements. The benefits which New York was deriving from her enterprise in opening her canals, made other states and sections of the union desirous of possessing like advantages; and although the application by New York to congress for aid had been rejected, other applications by combining a sufficient number of interests to carry a majority have been successful. Millions had been expended by the United States for those objects, and when gen. Jackson came into office the improvements already projected, as proper for the application of the national funds, would have cost more than \$300,000,000."

Why did not the maker of the address tell the people how many millions had been appropriated and paid for internal improvements, since the adoption of the constitution, that the people might be alarmed with the

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amount? But the 200 millions for works "already projected" would have had a small finish, had that truth been told. The getting-up of this estimate of works projected, was a disgraceful affair—and almost purely dishonest, criminally careless.

On the other hand, a writer in the "Albany Argus" of the 12th inst. speaking of the want of a sufficient depth of water for ship navigation to that city, which he anticipates, and, we hope, truly, will become a very important place of trade—says,

"Nor is there the least doubt that the navigation can be improved. Money alone is wanted; and the *United States would willingly give it if properly solicited*. Our city should be alive to this subject, and steps taken to have one or more of our citizens in Washington at the opening of the next session, to co-operate with our highly respectable representative in such measures as may be deemed best calculated to procure aid from that source.

"The state of New York will pay into the treasury of the nation this year something like *twenty millions* of dollars, in duties, and surely *one or two hundred thousand* would not be refused us, when the public benefit would be so great."

Very well. The Albanians shall have our best wishes for the success of their application. But the latter paragraph is not less of a *sweeping* character than that which Mr. Lent has certified to.

"The state of New York will pay into the treasury of the nation this year something like twenty millions of dollars!" Now, the phrase might have been corrected by saying the *city* of New York, and that again amended by naming a certain street in that city, and the whole accurately stated by decidedly saying, that *one man, Samuel Swartwout*, would pay the whole sum.

When some silly one wrote to Mr. Jefferson of the great revenue paid by New York to the national treasury—he said "remove the custom house across the river, and Paulus Hook will pay the same amount."

SMUGGLING OF SUGAR. From the *New Orleans Bee*. A new species of import has come to our knowledge, which, if tolerated, threatens ruin to the sugar growers of this state. It is a kind of syrup, which has not been sufficiently boiled to granulate, but contains more than two-thirds of sugar. One gallon of this syrup, from actual experiment, yields from eight to nine pounds of sugar. If, therefore, such an importation be allowed, it is evident that the sugar refiners, not the planters, will furnish us with sugar—the latter being *unable to resist* so formidable a competition. A recently imported cargo of this commodity has been seized by our collector, and we impatiently await the award of the court on this subject, which materially affects the interests of our state. If the seizure be not confirmed, the duty on sugar, is illusory, inasmuch as that obtained from the syrup pays something less than half a cent, instead of three cents imposed by the tariff. There is but little doubt but that a great quantity of this article has been introduced in the United States, and to attribute to this the depreciation of our sugars in the northern ports, is not an unreasonable supposition.

[It is stated that the treasury department has issued a circular directing that a duty shall be paid on this *liquid sugar* by the pound, as other sugar pays—so those that may be caught will make a bad speculation!]

VERMONT. Official returns of the votes for governor of this state—Mr. Palmer, anti-masonic, 15,258; Mr. Allen, national republican, 12,999; Mr. Meach, Jackson, 6,158—no choice. But the plurality system prevailing as to the council, the anti-masonic ticket fully succeeded. Mr. Palmer was elected governor by joint ballot—for him 114, for Mr. Allen 56, Mr. Meach 42,

Mr. Crafts 35—majority for Palmer, *one*. Mr. Smith elected speaker of the house of representatives, and all the rest of the officers appointed are anti-masons.

IRA WOODMAN. The case of this postmaster in New Hampshire, is, at last, settled! From the "Statesman" of the 15th inst. We abstract the following account of it—if true, as described, there has been a criminal neglect in the officers whose duty it was to see that justice was rendered for an offence so prejudicial to the "general welfare," and which experience teaches us has become more frequent than heretofore. We say this in all soberness for wrongs suffered.

Woodman, according to the "Statesman," was arrested for purloining a ten dollar note, of the Brighton bank, from a letter, and a true bill against him was found, (pretty nearly two years ago we believe), by the grand jury of Grafton county. When brought forward for trial, he was claimed by the United States attorney, Mr. Cushman, as having committed an offence against the United States, and accordingly given up and held to bail for his appearance. In the course of time, a true bill against Woodman was returned to the circuit court of the United States, but the U. S. attorney not proving the existence of the Brighton bank, it was not shown that a larceny had been committed. The court, however, refused to discharge Woodman, having no doubt of his guilt, and the case was continued—one security being given in the sum of one hundred dollars that he should appear. The circuit court of the United States has just held another session, Woodman, having taken "leg bail" did not appear, and the surty is said not to be worth a farthing. But the fact of a surty in the sum of \$100, for so serious a charge, is one of the strongest things in the whole affair.

GOLD. One house in New York is said to have received 1,000 sovereigns from England. They were not remitted because of the exchange being against England! The difference between the value of those sovereigns in England, and as we rate dollars, is not less than 14 per cent. in favor of the former.

APPOINTMENTS BY THE PRESIDENT. Daniel W. Pope, of New York, to be consul of the United States at Toluca, in the United Mexican states.

John Martin Baker, of Pennsylvania, to be consul of the United States for the port of Rio Janeiro, in Brazil, in place of W. H. D. C. Wright, removed at the request of the Brazilian government.

John K. Campbell, of Florida, to be attorney of the United States for the district of West Florida, vice Benjamin D. Wright, removed.

Alexander Thomson, of New York, to be consul of the United States at Glasgow, in Scotland, vice David Walker, deceased.

BANK OF THE UNITED STATES. In the house of representatives of the state of Tennessee, now sitting, the following proceedings lately took place—

Mr. McGaughey offered the following preamble and resolutions—

Whereas, the charter of the United States bank will expire in the year 1836, and whereas it is believed that the stockholders in said bank will attempt to procure a re-charter of that institution—and whereas, it is believed by this general assembly, that it is not consistent with sound policy to extend the charter of said bank—Therefore,

Resolved, By the general assembly of the state of Tennessee, that our senators in congress be instructed, and our representatives requested, to use all possible means to prevent the re-chartering of the bank of the United States, if any attempt should be made in congress for that purpose, before the next session of the General assembly of this state.

Resolved, That the secretary of state furnish a copy of the foregoing preamble and resolution to each of our senators and representatives in congress—and that they be printed with the notes of the present session of the general assembly.

Mr. Allen suggested that it would perhaps be better to appoint a committee on the affairs of the general government, to whom these and all similar propositions might be referred. He was opposed in all such interference on the part of the legislature, with business specially belonging to the federal government. He moved to lay the resolutions on the table, which was done accordingly.

INCENDIARY PUBLICATIONS. The "Vigilance Association of Columbia" (South Carolina), composed of gentlemen of the first respectability, have offered a reward of fifteen hundred dollars for the apprehension and prosecution to conviction, of any white person who may be detected in distributing or circulating within that state the newspaper, called "The Liberator," printed in Boston, or the pamphlet called "Walker's Pamphlet," or any other publication of a seditious tendency.

[Is not, by far, too much importance attached to these publications? It can be accounted for only in the ferential and ardent feeling of the people in the south, because of their condition—and, indeed, from certain movements among the slaves in various states, there is much reason to apprehend no inconsiderable degree of concerted action, though extremely indigent and inefficient, except for very limited operations, though causing a general alarm, no one knowing where a blow might fall.]

THE CHOLERA. From the 19th June to 15th July, inclusive, 7,738 cases of this disease were recorded at St. Petersburg as having taken place—of these, 5,950 died and 2,139 were cured—the rest were removed, and their fate unknown.

Whole number of cases up to 1st August 8,281—known deaths 4,281. The disease was at its height 17 days after its appearance, and then began rapidly to decline, and was nearly extinct, at our last accounts from the Russian capital.

AN OFFICIAL WAG. The local commissioner of the city of Boston must be a right merry and shrewd wight. In a late report to the municipality, touching shady lands lying between that city and the town of Roxbury, he states that a new road has been laid out across a part of those lands, leading from the Neck (the long street connecting that town with the city) striking the southern termination of Tremont street, of which avenue it is to be a continuation. This new portion will exceed two miles in length—three fourths of which is to be perfectly straight; the other half mile, says the commissioner, "which is nearest the city, is just crooked enough to remain travellers that they have arrived in Boston where every thing, I trust, will be found straight except the streets."

THE NEW ISLAND. The French government have despatched one of their ships of war to determine the latitude and longitude of the new island which has sprung up in the Sicilian sea, between Girgentum and Pantalaria. They have also sent some eminent geologists to examine the structure of the island—an object of much curiosity in the scientific world, as hitherto no opportunity has been afforded of carefully investigating an island of this description, they having in all instances sunk back into the sea before the opportunity was allowed for such examination.

BRIEF NOTICES.

"Gen. Nat." It is believed that this distinguished leader of the blacks at the massacre in Virginia, was drowned, in attempting to cross New river. So says a letter to the governor of the state.

Benjamin W. Richards, the excellent mayor of Philadelphia, has been unanimously re-elected by the council.

Small Pox. A strange vessel landed two sick men at Melchias, (Maine), 8th inst. and made off. One died and many persons having visited them, it was reported at Bristol, that one hundred had taken the small pox.

The earth is 2,048,572 miles nearer the sun in winter than in summer. Its motion is 17 miles in a second, so

that if a man pulls off his hat to another in the street, he goes many miles bareheaded without catching cold.

Wool. The imports of wool into this city for the two first quarters of 1831, are 1,116,751 lbs. The imports for the third quarter are estimated at 800,000. Total import for nine months, 1,716,751 lbs. [*Boston Post.*]

Levy of Catholic troops. The following extraordinary statement is extracted from the *Roman Catholic Magazine*, for August, 1831, under the head "Rome," page 445:—"We have heard from good authority that his holiness has, through the Nuncio, Monsignor Spadaccini, applied to the British government for permission to raise a body of 10,000 troops in Ireland, and that the application has been successful."

A printer in London has made an awkward attempt to evade the cost of stamped paper, by printing the news on cotton, and selling the Gazette under the name of "a political pocket hamster-hat."

Coffee. It is stated that 8,500,000 lbs. of coffee are in the public stores in Haïti, waiting the further reduction of a duty that will take place on the first of January next.

Canal celebration. The citizens of Chillicothe, Ohio, are preparing to celebrate in splendid style, the opening of canal navigation.

Rappahannock canal. The lower section of this canal is now navigable, and boats laden with timber arrive daily in the basin at Fredericksburgh, Va.

Medical use of gold. M. Legrand, an eminent French physician, has published a volume in Paris, on the use of gold in cases of syphilis. The article can be administered in various ways, and in doses amounting to one third of a gram per day, rubbed upon the tongue, in the shape of gold leaf, or the oxide of this metal, or the perchloride of gold, &c. It acts on the digestive organs, without weakening the system and produces an exhalation of spirits.

Naval. The U. S. ship *Fairfield*, capt. NEWTON dropped down from the navy yard to the anchorage off town point, on Saturday last, preparatory to sailing for the West Indies. Com. ELLIOTT will embark on the *Fairfield* to resume the command of the U. S. naval force on that station.

The U. S. frigate *Brandywine*, com. BIDDLE, was at Toulon in August last, to sail soon for Marseilles.—Officers and crew all well. [*Norfolk Herald.*]

FOREIGN NEWS.

An arrival at Baltimore brings Liverpool dates to the 15th of September.

POLAND AND RUSSIA.

The latest intelligence from Poland is to the 27th of August. The main Polish army had retired within the fortifications of Warsaw, after having sustained a loss of 1,400 or 1,500 men in a reconnaissance, owing to the imprudence of col. Legallais a French officer. Two corps had been detached into the pallanates of Poddachia and Plozk. The former and the stranger under the French gen. Bonmarino, is believed in Paris to have gained a signal victory over a part of the army of Rudiger. One good effect of these diversions is, that the Poles have, in consequence, been enabled to introduce large supplies into Warsaw.

The dictator Kucowiecki, had restored order within the walls of Warsaw. Four of the persons engaged in the massacres of the 16th of August had been shot. Both armies are said to be anxious to come into conflict. Paskewitch was hastening his preparations for decisive operations against Warsaw, wishing to avoid a recurrence of those disasters consequent upon a campaign in the winter, from the effects of which, Dabitsch, his predecessor, had suffered so severely.

The emperor Nicholas is said to have determined on listening to no mediation by other powers—any terms on the part of the Poles short of absolute submission, is, therefore superfluous.

The patriot clubs of Warsaw are represented as great evils; in the excess of their zeal, in the bloody affair of the 16th of August, they perpetrated the most frightful acts of atrocity. Neither age nor sex were spared by them, and their merciless deeds were perpetrated too in the name of liberty, and under the guise of patriotism. The conduct of the civic guards is represented as culpable in

the extreme, and that their commander, count Ostrowski, decl-ined, on coming up to the theatre of massacre, that arms were not placed in his hands to destroy his countrymen. The police gates were then broken, and the populace aided by some of the guards.

Gen. Jankowski was seized first and hanged on a lamp post.

"Soon after, generals Salski, Hurtig and Bukowski, M. Fanslow, chamberlain to the emperor, and madame Roz now, were put to death in the same manner. The daughter of that lady was pierced through with a sabre for attempting to defend her mother. These unfortunate victims were mutilated after having been killed. The details are too horrid to be related.

"The rage of the assassins continued unrelenting. They proceeded to a prison in which were confined some agents of the old police, and afterwards to the house of correction, where they recommenced the carnage. Men imprisoned on slight charges, and strangers to politics, were murdered. About 60 individuals perished on that dreadful night.

"It appears that general Kucowiecki declared himself governor of the city, and that the national government confirmed him in that office the next morning. But his efforts were insufficient to arrest the anarchists, because there were no troops of the line at Warsaw, and because the civic guard could not be depended upon. Several murders were committed on the 16th—at three o'clock in the afternoon, a Russian officer, who had been wounded and made prisoner, was taken out of a cart and hanged in the street, because it was reported that he was a Prussian; he was, however, a native of Coorland.

The dictator had issued a proclamation, in which after stating that the diet had been forced by necessity to create a new government, founded upon the authority of the laws, adds, that it would act with all the vigor required by the existing circumstances of the country; that justice should be done towards all who were found guilty of having violated the laws. The count declares he will never suile the national glory, and will take care that, with the aid of the laws, criminal agitators, who were the best allies of the enemies of the country, shall be annihilated.

Report states that the brave Schrynnecki had entered the 4th regiment as a grenadier.

The Russians were reinforcing their army with great activity and it was thought would be able to increase its numbers from 25,000 to 30,000 in a few days; when that should be effected, it was thought Paskewitch would make the assault on Warsaw. The cholera was at Berlin.

ENGLAND.

The coronation of William IV, took place with great pomp on the 8th Sept. Indisposition is said to have been the cause of the absence of the duchess of Kent and her daughter.

The reform bill, it is thought will pass the house of lords, though not without violent opposition.

A British squadron had sailed for the Tagus, for the purpose of redressing the injuries inflicted by the Portuguese government on British subjects.

The British ship of war *Alligator*, from off Algiers on the 17th August, reports that the French a few days previously had an affair with the Belonins, in which they sustained a loss of 600 men, and are said to be masters of only ten miles round Algiers, 2,500 of their troops were sick in the hospital, and others were constantly returning to France. The town was very badly supplied with provisions.

The Herald of the 12th says:—"The American packet ship *President*, captain Champlin, passed through Spit-head yesterday evening, in 24 days from New York; she is a splendid vessel, and brings as passenger his excellency, the hon. M. Van Buren, ambassador from the United States to this country. He landed at Cowes.

AUSTRIA.

The Austrian government had suppressed the insurrection in Hungary—Several countries in it had been shot.

ITALY.

Tranquility had been restored, and the report of disturbances in Naples was not believed.

PORTUGAL.

It was said that the French and English governments would act as mediators between the government of Don Miguel and the refugees of Portugal.

FRANCE.

There had been disturbances in Paris—a mob had attempted to destroy the machinery lately introduced into a factory. The armed force was called in and prevented its destruction. Some lamps were broken and other outrages committed—disturbances had also taken place at Blois and other places—order had been restored without any serious injury.

BRUSSELS.

The Brussels papers contain the opening speech of King Leopold to the new legislative body of Belgium. "This address, appears in have given general satisfaction in Brussels.—His majesty adroitly apologizes for the disgraces of the late campaign by attributing them to the accidental superiority of the Dutch in point of discipline, and an unfair surprise upon his subjects; thus by at once saving the courage of the Belgians and assuring them of foreign protection, he seems to have found the shortest way to their good wishes. He very properly identifies himself with the nation, but the promises which he holds out on the thorny subject of the fortresses may hereafter lead to some awkward discussion. Hostilities had entirely ceased at Antwerp, and the Dutch were even showing a disposition to make the amende for the damage which they had already done to Belgian property."

An arrival at New York from Havre, brings advices direct from France to the 12th September. The disturbances in Paris as well as in the departments in the south of France had given some trouble to the police. They had, however, been suppressed without bloodshed, and things were assuming a tranquil state again. At Clermont the prison was forced and its prisoners released.

There were reports of ministerial changes. M. Perier had declared that if the ordinance abolishing hereditary peerage should pass, he would retire. It was stated that should he resign, his place would be filled by M. Decazes, who was a minister of Louis XVIII.

The cholera was making alarming progress in Vienna, Berlin, Hungary and other places, and the government of France were taking active measures to prevent its introduction there.

By this arrival, as well as one at Norfolk, a report is brought, that Schrynecki had assumed the chief command of the Polish army, and, on the 30th of August, had had an engagement with the Russian army under field marshal Paskewitch, and compelled him to quit the position he occupied in front of Warsaw. The private correspondence by these arrivals make no mention of this battle, and we fear that it is not to be relied on.

The manufacturing establishments in France are in a prosperous situation.

Owing to the small quantities of grain brought to market, flour was dear in Paris.

An insurrectionary spirit had manifested itself in Switzerland, and the diet had taken strong measures to suppress it.

MANIFESTO OF THE POLISH GOVERNMENT AGAINST PRUSSIA.

"There are extreme circumstances which will not permit men to observe the conduct which otherwise they would willingly pursue.

"Can it be a reproach to the weak, that when on the point of perishing, they expose the false pretences, of those who, under the cloak of legal conduct, would effectually ensure their destruction, by aiding their adversary?"

"The Poles have a right to say that the faith of nations is but an empty name, and that treaties and conventions have been invented only to cover the crimes of the powerful with the mask of justice. The principle of non-intervention, for what does it serve, but as a pretext in the selfish policy adopted by the cabinets of the present day? How Austria has applied it in the disarming of Durnick's corps is known to Europe, and Europe re-

mains silent. Prussia has violated, in a manner still more striking, a principle which, once adopted, ought to be adopted by all, or applied impartially.

"Often have we addressed to the cabinets, the guarantees of our rights, the most pressing representations; and all have been deaf to our voice. We cannot, indeed, demonstrate by judicial process the wrongs which we have suffered on the Prussian territory. They are, however, sufficiently proved by the most circumstantial details; of all proofs the most convincing is that furnished by the present position of the Russian army.

"Prussia, confident in our weakness, has done well to give evasive answers to all the governments who would seek to maintain, *bona fide*, the principle of non-intervention. She could not better disguise her conduct from incredulous cabinets, that they might be required to see the French at Warsaw, before they would believe in the concert subsisting between the cabinets of St. Petersburg and Berlin.

"The national government has received a report from the general-in-chief, announcing that the army of Paskewitch is concentrated on the Lower Vistula, and extended in echelon, on the right side of the river, and resting upon the Prussian frontier. [Here follows a minute description of the then position of the army, since changed.] It results from the plan of operation adopted by general Paskewitch, that in case of a check more or less severe, he could with difficulty regain the right bank, and, by consequence, must have the certainty of a secure retreat in Prussia, into which the quarantine will not hinder him long from penetrating, and where no Russian corps will experience the fate of general Durnick. This conduct of Prussia destroys all the advantages which we have acquired by so much devotion, and so much blood spilled all over the soil of Poland. It renders useless, we are bold to say, all the miracles of our courage.

"Our struggle has been an appeal to God; why attempt to influence his decrees, and lend to the strong more terrible arms for the purpose of crushing the weak? Let it be known that it is not with Russia only we are engaged in combat. There was a time when the spectators of a conflict would have thought themselves guilty of a crime if they did not assist the weaker party—the world calls that time barbarous. At present two powers are seen conspiring against an unhappy nation, and the contest is looked upon with *sung froid*. The attacked nation has not even arms to defend itself, for Prussia, not content with having surrounded our frontiers for a long time with a fetid quarantine, checks the transport of every thing necessary for our defence. Such are the means resorted to in order to reduce us; this is the fair battle offered us by Russia, assisted by the Prussians. Their princes invoke the name of God in their proclamations—God is justice and equity, and invoking him to testify falsehood is committing perjury. Who can foresee the future? The princes who wish for our destruction may, perhaps, hereafter be pursued by misfortune, and, placed in situations of difficulty. Let them then recollect their conduct to Poland. How can we be silent while we experience such injustice. Our complaints must be published, that they may be a solemn manifesto against the conduct of Prussia. The world must know what we have complained of—what are the difficulties we have to conquer; and perhaps then the governments, which are deaf to the voice of justice and humanity, will be forced to admit that a people which has had the courage to support itself single-handed against such powerful enemies combined to annihilate it, is worthy of a free and independent existence."

SUPPLY AND PRICE OF COTTON.

The Columbus (S. C.) *Telescope*, contains the following statement, communicated by an intelligent and well informed merchant of that place: It exhibits a most discouraging prospect for the cotton grower; but when more of an article is produced than is requisite to supply the current demand, the surplus can only be disposed of by a reduction in price, so as to bring it within the compass of the means of those who could not before afford to purchase. So the quantity of cotton in market has been increased beyond the demand at which it bore

a price that paid the producer a handsome profit; and the manufacturer will not buy it unless he can make some profit on his labor—while his prices are reduced to the lowest, in order to extend the sale of his manufactures in a ratio with the increase of the raw material. In the present glutted state of the cotton market, some hope of relief may be entertained from the present agitated condition of Brazil—a decline of 2 or 300,000 bales in the exports of that country, would, perhaps, advance the price of our crop in the whole amount of the value of that quantity—for nothing can be more clear than that too much cotton is grown to permit large profits to the cultivator. The principle in this case is applicable to every business. In 1829, because of the excessive manufactures of coarse cotton yarns, how general was the distress, how mighty the ruin of the cotton spinners? What was the remedy? The spinning of finer yarns, and in the very great extension of the print-works, calling for large supplies for calicoes, &c. and so the spinning became a good business again. What would be the price of flour, if only the capital and labor employed in making iron in Pennsylvania were applied to the growing of wheat—by making the land rich, producing 25 or 30 bushels to the acre instead of about 10? Flour would not sell for three dollars a barrel—for there is no demand for the one or two millions of barrels that so much additional capital and labor would produce. Over-production is the real cause of the decline of price for cotton. Do away the cultivation of the cane in Louisiana, and no man, however favorable his circumstances may be, can raise a pound of cotton in South Carolina, without a great loss and ultimate ruin—though in Louisiana, because of the richer land and a better article, the planters might yet make a living.

The remarks about ship building may suit the recreation of a little island town, like Columbia. This valuable branch of industry was feebly carried on, because there were more ships than business—there had been an over-production of them. But when business a little revived, and only a little, the want of this was discovered and the value of them rapidly advanced, and now, notwithstanding the "enormous duties on materials for ship-building," that business was never more brisk than it is now, and it will remain lively until the demand is supplied; and then if there be not an extensive war in Europe, it will fall back to the building of vessels chiefly for the coasting trade, as before.

From the *Columbian Telescope*, Aug. 23.

The prospects for the coming crop with regard to price are gloomy. Accounts from England up to the 8th of last month, left it selling from 4½ to 6½d. average 5½d. sterling.

The following statement will shew what that would enable the Charleston shipper to pay, merely to cover cost.

	5½d. is equal to cts. 10,17
<i>Charges.</i>	
Insurance, loss of weight, petty charges and commissions 12½ per cent.	1,27
Freight at 5-8d. per lb. and, primage 5 per cent. thereon.	1,21
Duty per lb. 5-8d.	1,15
	— 3,63
	6,54
Add exchange 8 per cent.	52
	— 7,06
Nett sales,	

Planters in the interior may after allowing charges to market and commissions to factors estimate what their crops will probably yield. The freight to England is put down at 5-8 per lb.—this is much under what has been paid for the growth of 1830. For that of 1831, unless a plentiful supply of British shipping arrive, the rate of freight will be very high. Owing to enormous duties on materials for ship building, few ships have been built at home while the produce to be carried has greatly increased, vessels from loss and decay have diminished, and we must rely on foreign shipping to carry a great part of our crops.

There is now no doubt that the new duty will be laid on—it will therefore behove the planters to be very particular in handling their cotton, to have it put up in

the best possible manner, for the worst cotton pays the same duty as the best; for example, the duty on cotton which might bring 6d. is 10½ per cent. on what sells at 3d. it would be 21 per cent. In France the duty on upland is 3 cents, on Sea Island 5 cents.

ARKWRIGHT.

A MARKET OPENED!

From the *Buffalo Advertiser*.

The most profitable way of selling American flour, and pot and pearl ashes, to the manufacturers of England.

It is well known to commercial men that the merchants of Canada have a legal right to sell the wheat and flour, produced in the provinces, in the markets of England, for consumption in that country, on payment of a small duty; which right they exercise to great extent, because they usually find it profitable. They also, (and all other persons), have the legal right of importing flour into Montreal and Quebec from Rochester, and other parts of the United States, without paying any duty. When the average price of English wheat in England, is over 67 shillings sterling per quarter of 8 bushels; or \$1 56 per bushel of 70 lbs. the duty there on colonial wheat is only 6 pence sterling per quarter, and on colonial flour only 4 pence per bul.—when the average price is under 67s. the duty is increased to 5s. sterling per quarter on wheat and 3s. 1d. per bul. on flour, which is the highest duty required by the existing law on colonial wheat and flour. At the same average price, or when the price is 67s. per quarter and under 68s. the duty in England on wheat and flour from New York and all other foreign ports, is 15s. 8d. sterling per quarter on wheat, 11s. 3d. per bul. on flour.

The practice at Montreal and Quebec is, to collect as much Canadian wheat and flour as possible, and sell the same for shipment to England; it being worth more for that purpose than any other. A second operation is to import from the United States, and sell for consumption in the provinces, and for exportation to the West Indies, as much American flour as practicable.

Thus the American flour from the western country, supplies the place of that which is admitted into England for consumption, on payment of a small duty; which approximates to the advantage of a direct admission there, at the same duty. Since the 15th of May last, the shipments of Canadian wheat and flour from Montreal and Quebec, amount to about 1,150,000 bushels of wheat and 41,256 bbls. of flour.

It is probable that this large export will make a steady and good market at Montreal for American flour. American pot and pearl ashes from Montreal, are admitted into England free; no duty being required; while those from New York and all other foreign ports, pay a duty of 6s. sterling per 112 lbs. or \$26 64 per ton, &c.

THE LATE MAJOR BIDDLE.

At a meeting of the officers of the United States' army, stationed at Jefferson Barracks, held at the mess-room of the sixth regiment, on the 4th September, 1831 brigadier general Atkinson was called to the chair, and capt. H. Smith, 6th regt. appointed secretary. The object of the meeting was then stated by the chairman, to wit, to take into consideration the propriety of an expression of the feelings of the meeting, in the death of major Thomas Biddle. Whereupon, it was

Resolved, That a committee of five be appointed, to draft resolutions expressive of the sense of this meeting—

And brig. gen. Leavenworth, major Riley, and capt. Palmer, of the 6th regt. capt. Harrison, of the 3rd regt. and capt. Rogers, of the 6th regt. were appointed that committee. The committee having retired for that purpose, prepared and submitted the following preamble and resolutions which were unanimously adopted, viz.

Whereas, a recent melancholy event, deeply to be regretted by the whole community (and particularly by the members of the army) both as to the cause of its origin and its result, has taken from the army a gallant and distinguished officer, and from among us an esteemed and respected friend: Therefore,

Resolved, That this meeting unfeignedly deplore the loss of their estimable fellow soldier, the late maj. Tho-

mas Biddle, an officer who had gallantly distinguished himself in the field against the enemies of his country and whose untimely death now calls forth our deepest sympathies.

Resolved, That as a mark of respect for his memory, we will wear the usual badge of mourning for 30 days.

Resolved, That these proceedings be signed by the chairman and secretary, and a copy forwarded to the family of our late friend, with our sincere condolence for their irreparable loss.

H. ATKINSON, *brig. gen. U. S. A. chairman.*

H. SMITH, *capt. 6th reg't, secretary.*

FREE TRADE CONVENTION.

List of the delegates who took their seats in the free trade convention, prior to October 5.

Maine.—Joshua Carpenter, Castine; Charles Q. Clapp, S. H. Mudge.—Total 3.

Massachusetts.—Henry Lee, Samuel Sweet, John L. Gardner, Henry Williams, Edward Croft, William Guildard, Ebenezer Breed, William Foster, Boston; T. S. Pomeroy, Haratio Hynton, Theodore Sedgwick, Stockbridges; George Peabody, Puckering Dodge, Joseph Ropes, Thomas P. Bancroft, Guilton Tucker, John W. Rogers, Isaac Newhall, Salem.—13.

Connecticut.—William G. Forbes, James Donaghy, New Haven.—2.

Rhode Island.—William Hunter.—1.

New York.—Preserved Fish, Jonathan Goodhue, Thomas R. Mercein, John A. Stevens, Isaac Carow, James Boorman, George Griswold, Benjamin L. Swan, M. H. Grinnell, George T. Trimble, Zebdec Ring, Albert Gallatin, John S. Cray, Jacob L. Rillart, James G. Kug, Charles H. Russell, Henry Kneeland, Isaac Bronson, city of New York; John Leonard, Edward Birgh, Samuel P. Brown, John Constable, John Aug. Smith.—23.

New Jersey.—Henry Cline, John C. Schenck, John Potter, Henry Vethake, John R. Thomson, of Princeton; C. L. Hardenburg, J. C. Van Dyck, John Bayard Kirkpatrick, Miles C. Smith.—9.

Pennsylvania.—Joseph R. Evans, George Emile, Clement C. Biddle, Edward Ingraham, J. M. Barclay, E. Latell, Samuel Smith, Isaac W. Norris, Richard Price, Henry R. Watson, Thomas P. Cope, John A. Brown, Philip H. Nicklin, Comly Raguet, Samuel Spackman, of Philadelphia.—15.

Maryland.—William H. Handy, Arnold D. Jones.—2.

Virginia.—Philip P. Barbour, Orange county; Henry E. Watkins, Richard Booker, Prince Edward county; James M. Gurnett, Essex county; Samuel L. Venable, Charlotte county; Thomas R. Dew, Burwell Bassett, Williamsburg; Walker Hayes, King William county; Philip A. Dew, King and Queen; Thomas Miller, Powhatan county; William G. Overton, Malcolm McFarland, Lunenburg county; George C. Dringnole, Brunswick county; Randolph Harrison, Cumberland county; Robert Yancey, rev. Robert Hunt, Halifax co.; Ferdinand W. Risque, H. R. Anderson, Richard Jones, Nottaway; Josiah Ellis, Dr. Charles Everett, Thomas W. Gilmer, Charles Cocke, Albemarle; Alex. Gordon Knox, William Towace, William O. Goodie, Merkleburg; Charles D. McIndor, James S. Brantler, Petersburg; William Maxwell, John Tabb, Norfolk; Benjamin F. Debney, King William county; R. D. Grayson, Stafford county; William P. Taylor, John Dickinson, John H. Bernard, Caroline county; Thomas T. Giles, Amelia county; James Lyons, Richmond; James Jones, Nottaway; James Magruder, Benjamin H. Magruder, Fluvanna county; John W. Jones, Chesterfield county; S. A. Storrow, Henry H. Watts, William B. Rogers, Linn Banks, William H. Roane, Archibald Bryce, jr., William Daniel, jr., S. H. Davis, John Bruckenbrough, George M. Payne.—51.

N. Carolina.—Joseph B. Skinner, S. T. Sawyer, Edenton; Charles Fuhrer, Salisbury; James Ardell, Joseph D. White, David Outlaw, Joseph B. G. Roulhac, Berne county; William A. Blount, Haskington county; John E. Wood, Hertford county; J. W. Cochran, Fayetteville; Louis D. Wilson, William R. Holt, Wm. W. Jones, Edward B. Dudley, Thomas S. Hoak, Robert C. G. Hilliard.—16.

South Carolina.—Zachariah P. Herndon, Union c. h.; James G. Spann, Sumpter; F. W. Davis, Chester c. h.; James Cuthbert, Wm. Pope, Coosawatchie; Thomas Pinckney, Wm. Butler, Pendleton; T. R. Singleton, Williamsburg district; Joseph W. Alston, W. Wilkinson, Philip Tullyman, Thomas R. Mitchell, W. A. Alston, T. P. McKee, Alston, Henry A. Middleton, Georgetown; Charles Macbeth, Longdon Cheves, John Frazer, James Lynch, Chancellor Harper, Wm. C. Preston, Daniel E. Huger, Hugh S. Legate, Thompson T. Player, Henry N. Cinger, A. P. Butler, Henry Middleton, Charleston; Henry C. Young, Laurens c. h.; Stephen D. Miller, Lancaster c. h.; Job Johnson, Nixberry dist.; John D. Edwards, J. H. Glover, Walterborough; John D. Carter, Camden; John Taylor, Edward Richardson, Richland district; Wm. Smith, York district; J. Herkley Grimbail, James Rose, Thomas William Smith, Thomas Williams, jr., Joseph E. Jenkins, Hugh Wilson.—41.

Georgia.—Eli S. Shorter, Seaborn Jones, Athens; Robert Habersham, Alexander Telfair, John Cumming, John Macpherson, Berrien, Savannah.—6.

Alabama.—John A. Elmore, Benj. S. Bibb, Howell Rose, Philomen Waters, Henry Goldthwaite, Alfred V. Scott, Lowndes county; John W. Moore, Enneth Persons, Monroe and Couch counties; Wm. J. Mason, Limestone county; Ward Taylor, Archibald P. Baldwin.—11.

Mississippi.—George Poindeexter.—1.

Tennessee.—Wm. E. Butler, Alexander Patton.—2.

[This list is made up in the following manner: The "Philadelphia Gazette" (which seems to have been as if the official paper of the convention), of the 28th September, contained the names of all the delegates then known at Philadelphia to have been appointed, being 365 nominations in all; and to these were attached their several places of residence. A subsequent paper gave the names of those who attended, up to the 5th October—and those gentlemen who are without a location in the list above, have residences unknown to us—some, perhaps, were *talent-men*, picked up, as from several states, because they happened to be in Philadelphia at the time, to make a full representation! We say "perhaps"—but regard the residence of gentlemen as of some importance in the matter before us. Look at Virginia, for example—nearly all the delegates are from the little tide-water counties and New York does not show one delegate except from the city.]

[We do not give the list as correct—but have closely examined the materials furnished to make it so—and if error is, we hope that it is not in us.]

ADDRESS OF THE ANTI-MASONIC CONVENTION.

From the New York Whig.

TO THE PEOPLE OF THE UNITED STATES:

Fellow citizens:

A large and growing political party, through us, respectfully addresses you. Numerous bodies of enlightened and honest freemen, in states containing more than half the electors of our union, have openly and fairly delegated us to represent them, in the performance of duties, which cannot fail to affect your essential rights. And believing that your rights are marvellously blended with theirs, we seek, most earnestly, so to perform these duties, as to produce effects equally and extensively beneficial upon the rights of all. These duties consist in nominating candidates to be supported, as candidates for the offices of president, and vice president, of the United States, at the next election, and in acting forth the grounds, on which you are invited to sustain the nomination.

The concurrence of millions of men, in any act of liberation or decision, for objects, in which they have a common interest, presents to the mind a magnificent and exciting spectacle. If the men be intelligent, patriotic, and free, and the object be that of appointing the most suitable of their number, to guard the rights, and advance the prosperity of the nation, which they constitute, human life can rarely exhibit a spectacle of equal interest and sublimity. Scarcely any approach towards such an exhibition has ever been witnessed, in any coun-

mark all the indications of good or evil, which may affect it, and weigh them well, the better to secure the objects of his care.

He should be wise in judgment. To this end, patient examination, cool deliberation, and impartial affections are requisite. Accordingly, he should be in the customary use of them. His judgment is the great hinge of good or evil to millions. It should not therefore be hasty, wavering, or weak; but well informed, faithful and firm.

He should be prudent. This quality refers more to action than to speculation, but includes both, and consists in a sagacious foresight of evils, and an effective application of means to avoid them, as well as in an enlightened anticipation of benefits, and adequate efforts to secure them. It is an exalted merit; not often brilliant in its means, because they are such as common sense enjoins, and therefore excite no wonder; but blessed in its effects, because under all circumstances it leads to the utmost attainable good. Prudence obtains less praise than it deserves, because it is often confounded with the partial and sordid purpose, to which it may be made subservient.

He should be disinterested and patriotic. Yielding himself to the wishes of his fellow citizens for the momentous task of their leading civil service, he should in all its specifications and labors, lose himself in them. Their rights, their safety, their happiness, should be his undeviating aim. Regarding them as his political brethren and principals, he will be intent upon promoting their interests. In this way, he will secure his own. And grateful to them for his elevation to the noblest and widest sphere of beneficent exertion, in which wisdom and virtue can aspire, in this world, he will labor, unceasingly, for the good of his country. With a country distinguished above all others—for its exemption from time-honored abuses either civil, ecclesiastical or military—for its self directing, and self-relying habits of its people—for its ingenuity and enterprise, in all the walks of productive industry—for its force and steadiness of resolve, in pursuit of practical utility—for its just distribution of social respect and honor—for its high and equal valuation of individual rights—for its anxiety and ability to disseminate useful knowledge, among all its children—for the spirit of improvement incorporated in its frame of government, exciting in the discovery, and inviting to the adoption, of every new and useful principle, and method of operation—for its unparalleled advancement in wealth, numbers, and strength—for its facilities of enlargement over half a continent, and of influence over all the world—for the adaptation of its employments, purposes, and institutions, to the rights of man—for its large and increasing enjoyment of the esteem and favor of nations—and for its glorious hopes of perpetuity, it would be as natural as it would be necessary, that he should be a patriot. It would seem impossible for him to be otherwise. Penetrated with a just sense of the dignity and importance of his great trust, he should endeavor to discharge it, with parental and equal regard to every section and member of the national family.

What should be the principles of his administration? Such certainly as are found in the fundamental doctrines of the republic, and are best calculated to harmonize order and right. As drawn from our constitutions and illustrated by the writings and examples of our sages, they are chiefly the following—equal and exact justice to all men of whatever state, condition, or persuasion; religious or political—peace, commerce and honest friendship with all nations, entangling alliances with none—the support of the state governments, in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwark against anti-republican tendencies—the preservation of the general government in its whole constitutional vigor, as the sheet anchor of our peace at home and safety abroad—a sacred regard to the principles and spirit of our union, which make us one people, and have been the essential means of our national power, honor, prosperity and freedom, as much as they were of the successful assertion of our national independence—acquiescence in the decisions of the majority, even if deemed wrongful, till they can be lawfully changed, by the influence of intelligence and patriot-

ism; such acquiescence being the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism—a well organized militia, our best reliance in peace, and for the first moments of war, till regulars may relieve them—the supremacy of the civil over the military authority—economy in the public expense, that labor may be lightly furnished—the honest payment of our debts and careful preservation of the public faith—encouragement of the great interests of agriculture, commerce and manufactures, that every branch of productive industry may be profitable, protected and respected—the diffusion of information, by the reasonable patronage of elementary schools, and scientific establishments, as well as by the publicity of all governmental transactions, with those temporary exceptions only, which are dictated by prudence, in relation to foreign intercourse, and the initiatory steps in prosecuting crime—the arraignment of all abuses at the bar of the public reason—the strict accountability of placement and frequent rotation in office—the unbroken dominion of the laws over all men, whether private citizens, public officers, or associations of both—the prompt and lawful application of all the necessary powers of government to secure the liberty and life of any citizen from criminal invasion, when it is known to be threatened, and the most strenuous and persevering exertion, on all occasions, to disclose and bring to legal punishment, the perpetrators of crimes for liberty has no existence, but in name, where the government is unwilling, or unable, to withstand the enterprises of faction and crime, whether proceeding in secret or in public; confine each member of the society, and association of members, within the limits prescribed by the laws, and to maintain all, in the secure and tranquil enjoyment of the rights of person and property. There are yet other rights of the people of which his administration should manifest a zealous care—that of political equality, implying general suffrage, and eligibility to office—of the independent and safe application of the right of voting to all cases, which the people shall think proper, as in this way it may become the mild and safe corrective of abuses, which must be lopped by the sword of revolution where peaceable remedies are unprovided—of freedom of religion; freedom of the press, and freedom of person, under the protection of the habeas corpus of trial by jury and judges impartial in their obligations and impartially selected; and of security in person, houses, papers, and effects, against unreasonable searches and seizures. These seem to us the essential principles of our freedom. They have been raised out of the precious name of human rights, by the labors of ages; and having disengaged them from the rubbish and dross, under which all the workings of ignorance, faction and tyranny, would keep them eternally buried, by the most pur-heated, arduous, and sagacious exertions, our political fathers have combred and set them up, for our shelter and guidance. Let us never be unmindful of them. We can have nothing of so much worth. They are the most brilliant jewels of our nation already ruined and renewed. We cannot overvalue them. But, unlike the shining baubles of ostentatious and unrighteous power, they are valuable in their use. In that alone are they good; and their most important use is, to be made the touchstone of the merits of those we trust.

Are these principles in danger? Every candid man, who will enquire, must think so. They were never in danger so imminent. Their foe is rich, disciplined, and wily. He obeys no rules of civilized warfare, no restraint of truth, no justice, no pleadings of humanity. He already occupies the principal posts heretofore relied on, as the chief defence of our liberty; every where lies in wait to deceive; endeavors to poison the springs of resistance to him; seduces the unwary, disloyal, and coward, by flattery, lucrative employment, and offers of preferment; intimidates the irresolute and weak, by haughty exhibitions of his power; and assails by a thousand ambushes, and by all sorts of weapons the most even-minded and condemned, the watchful, thoughtful, steadfast, and unconquerable friends of free principles. Such a foe is freemasonry.

This appears incredible to honest unreflecting men, till they fairly understand the character of freemasonry,

and ascertain its conduct. Whenever they do this, the incredibility vanishes; they join the great rally of anti-masons, and work with one mind and untiring zeal, in all the way of law and honor, for its abolition. The disinclination to take up impressions of evil against it arises, almost wholly, from the fair characters of some men, who have been connected with it, and from the support of it, by interested politicians, and the presses under its control.

Honorable men have joined it, in early life. Incited by unsuspected representations of its purity and value, and by curiosity to explore a mystery, they surrendered themselves to the wash of its members, and offered to be conducted into its dark chambers. Of these we know some stopped at the threshold; some, in the first degree; some in the second; and more, in the third. None of them knew any thing of its peculiar ceremonies, oaths, or objects, till they had sworn to conceal them. They have often praised the virtues it claimed, for they loved virtue, and hoped the claim was just. But they never imbibed its spirit, or knowingly approved its principles. From the first step of their initiation, they always suspected both. If they did not, we should have heard from some of the ten thousand conscientious and patriotic seceders, who have opened the door upon all its proceedings, of fathers leading their sons to the masonic altar. Among them all, the seceders have probably witnessed admissions into nearly every lodge in the union. No one has told you, that he ever assented at the initiation of his own son, or knew any other father do so, in relation to his son. Is not this a most honest, legible, and fatal condemnation of the order, derived from witnesses the most competent and credible though unwilling—even from the very hearts of its adhering members? What! would not a father initiate his son, the pride of his life, the hope of his age, the object of his prayers, into an association of honorable men most exclusively designed, and most wisely adapted, to the inculcation of science, charity, religion? How have good fathers done, who have become freemasons? Let each one look around among his acquaintances, and recall his past observation, for the answer. They have discontinued attendance upon the lodges. They have preferred other schools of science, for their children. They have resorted to better means of impressing the love and practice of clarity upon their hearts. They have looked higher for their religion. Either the best of fathers, who had joined the lodge, were anti-masonic in the bottom of their hearts, knowing the institution to be a base imposture; or they hated their children.

But how have members, who were most distinguished for public honor and private virtue out of the lodge, conducted, in relation to it? Franklin is said to have replied to his brother, who asked his advice about joining the society, "one fool is enough in a family." When the reputable and benevolent Jeremy Grille, was grand master of the Massachusetts masons, before the most criminal degrees of the order were known in our country, he was enquired of, by a young friend, whether it was worth his while to become a mason? and he answered NO—with this pregnant addition, "by aggregation to the society a young man might acquire a little artificial support, but that he did not need it; and there was nothing in the masonic institution worthy of his seeking to be associated with it." The enquirer, afterwards, by his bold and freedom-freighted thoughts, and the high bearing of his devoted expression of them, was the most prominent agent in carrying the declaration of independence, in the illustrious congress of '76.

But, Washington, and his brother officers of glorious memory, were masons. True. They were admitted to three degrees. None of them went higher, in the early days of our independence. Washington never visited a lodge but once or twice after 1768; and never presided in one. He afterwards in effect, renounced it; and so did a large majority of the officers before alluded to, in their voluntary determination to extinguish the Cincinnati society. To this society they were bound by stronger ties than masonry can offer to uncorrupted minds—by those of a natural and general and generous sympathy, of which the golden links were struck out and forged, in the welding fires of our revolutionary war.

The origin of this society was innocent; its objects were laudable; its laws were published; its meetings were not secret; it administered no oaths, imposed no bloody penalties, had no division into degrees, and its members were respected and honored as the benefactors of their country; but it introduced distinctions between its members and other citizens; its associates wore badges, a ribbon and eagle; it was hereditary; admitted honorary members; and had funds for charity. Thus constituted all the whigs of the country, in civil life, as soon as it was known to them, opposed it, as eminently dangerous to liberty. It had no political objects. The conduct of its members, and the true purpose of the association were excellent. But it was liable to abuse. Political means were resorted to, for its abolition. Governors of states denounced it; legislative bodies expressed their opposition to it, by resolutions; assemblies of private citizens reprobated it; the press sternly and universally rebuked it; the whole country was excited to a flame against it.

Washington soon became sensible that it might produce political evils, which the pure and strong motives, in which it originated, had hidden from the observation of its members. And he attended its first annual meeting determined to exert all his influence for its suppression. He did so exert it. And the order was on the point of being annihilated by the vote of the *great majority* of its members. Its complete annihilation was prevented, only by a sense of courtesy and consistency towards their foreign brother officers, whom the members had officially and formally invited to join it, before they had well considered the abuses of which it was susceptible, and the political tendencies, which it might foster. They did destroy its essential features, by resolving that the order should be no longer hereditary, and that no new members should be admitted. They discontinued wearing its badges, in this country; and left nothing of its existence, but its name, its meetings, which were changed from being annual to triennial, and its charitable funds, which were ordered to be deposited with the state legislatures. This fundamental modification, with the well known cause of its continuance, in the shape it was made to assume by its own members, appeased the public; though Jefferson, and many others, expressed a decided disapprobation of its continuance at all.

Compare this society with freemasonry, in its motives, its origin, its degrading ceremonies, its accumulation of titles, its numerous expressive though fantastic badges; its exacting obedience in the lower degrees, and irresponsible authority in the higher; its secrecy; its oaths; its penalties; its claims of exclusive allegiance; its long list of degrees; its means of private recognition, command, and universal concert; its affiliation with members in all foreign countries; its numbers; its boasted power; its crimes, and the pertinacity with which it is sustained, by its adhering members; and it is impossible not to be convinced, that it is exceedingly dangerous; and that those, who were willing to renounce the Cincinnati society, would be compelled, by the same patriotic motives, which controlled them, in that act, if they had lived till now, to renounce freemasonry. They would have insisted upon its total abrogation. It must be abrogated.

The unavoidable inference drawn by every prudent man, from observing the conduct of its best members, in all past time, is, that its character is bad. This inference is greatly strengthened, by the intelligible hints and friendly advice of the most trust worthy among them. It should be ripened into unhesitating conviction by a consideration of the secrecy, which it enjoins. *Standing secrecy always implies shame and guilt.* It is utterly inconsistent with social improvement, confidence and innocence. All the descendants of Adam inherit his nature. While he was innocent, he was ingenuous, communicative, without the need, or the desire, of concealment. For the first crime he committed, even before the sentence of banishment from Paradise, was pronounced upon him, he sought concealment.

But we are not left to our own reasonable inferences, or to hints, and a few honest but guarded expressions, from its members, to decide upon the character of freemasonry. That character has been revealed, under

oath, by its adhering members, and by a great band of seceders. And how does it stand? Infamous beyond all parallel in human annals. Its principles are vicious, murderous, treasonable; and so far as they prevail, totally hostile to those of our government.

In the first degree, the candidate pledges himself under oath, and upon forfeiture of his life if he does not redeem the pledge, to ever conceal and never reveal the secrets of freemasonry, which he has then received, is about to receive, or may thereafter be instructed in. Among the secrets, which the candidate may, and must be instructed in, if he takes the second degree, is that of his pledge of passive obedience to the laws of the lodge, and all regular summons sent him by a brother of that degree. If he takes the third degree, among those secrets are pledges to fly to the relief of a brother of that degree, when masonically required so to do, at the risk of life; should there be a great probability of saving the life of the brother requiring, than of losing his own—to apprise a brother of all approaching danger if possible—and to conceal the secrets of a brother master mason, when communicated to him as such, murder and treason only excepted, and they left at his discretion. And if he takes the royal arch degree, among those secrets are pledges—to extricate a brother of that degree from danger, if he can, whether that brother be right or wrong—to promote* his political preference before that of all others of equal qualifications—and to conceal his secrets, murder and treason not excepted. Thus is the concealment of crimes made a masonic duty; and the candidates expressly disclaim all equivocation, mental reservation, or evasion of mind, both in the first degree, and in the last.

How do these parts of masonry affect the moral character of its members? In the first degree, and every other, no man knows any of its obligations, till after he has sworn to conceal them. It is a first principle in morals, that there is no accountability without knowledge and free will. Such oaths, therefore, are not binding, and no forms, or objects, or a few rites, can make them so. But what is the purpose of the order, in the ceremony of imposing them? Can it be good? It is certainly such as can be accomplished only by men devoid of all sense of accountability. The less of this sense the better, for all the purposes of fraud and crime—and the more of it the better, for all the purposes of integrity and virtue. These are truths, which nobody can gainsay. All the history of party, on the one hand, and of sin on the other, asserts them. They are obvious to the common sense of all men. This proceeding of freemasonry, is, therefore, obviously in hostility to good morals. It is more than that. To take such an oath deliberately and with an intent to perform it, is an attempt at the voluntary extirpation of the highest rights of the soul, and a complete foreclosure of the source of every duty. It is not possible to imagine a more aggravated crime. Rape, murder, treason, may be repented of, and their perpetrators reclaimed. But to forego the rights of knowledge and volition, in regard to every proposition, which can be offered to a moral agent, amounts to a desperate erasure of the image of God from the breast. It would necessarily preclude repentance, reformation, pardon, hope, and be death, in its most mangleable horrors. It would be as much worse than common suicide, as the value of the immortal spirit is greater than that of the corruptible body.

In the degrees, higher than the royal arch, the members swear to oppose the interest, derange the business, and destroy the reputation, of unfaithful brethren, through life,—to prefer the interests of a companion of the order, or of a companion's friend, for whom he pleads, to those of any mere man of the world, in matters of difference submitted to them—never to engage in mean party strife, nor conspiracies against the government or religion of their country, *whereby their reputation may suffer*, nor ever to associate with dishonorable men, for a moment, EXCEPT it be to secure the interest of such person, his family, or friends, to a companion, whose necessities require this degradation at their hands—to follow strictly every command of the illustrious knights, and grand

commander, and especially to *sacrifice the traitors of masonry.*

Have these points of masonic obligation any political bearing? All the rights of man are founded in his moral nature. It is the intention of free government to secure him in the possession of these rights. Whatever is hostile to good morals is therefore opposed to the end and policy of freedom. We have seen large numbers of the most intelligent, wealthy, and respectable freemasons in New York, deliberating in their lodges and elsewhere, on the means of suppressing a written disclosure of their secrets, by one of their number—we have seen notices of a slanderous character, simultaneously printed, a few days before the seizure and murder of Morgan, in newspapers a hundred miles apart, warning the public—against the designs of the author of this disclosure and especially directed to the masonic brotherhood—about the same time we have seen masons set fire to a building prepared by them with peculiar care for sudden combustion, because it was supposed to contain this disclosure in manuscript—we have seen them employ a masonic printer, who was a stranger and an alien, to go into the office where it was printing, with the offer to aid in that work by labor and money, for the sole purpose of stealing the manuscript—we have afterwards seen them kidnap the writer of it, carry him handwinked and bound, with the greatest secrecy and caution, through a great extent of populous country, to a fort of the United States—unlawfully and forcibly imprison him there—collect together in frequent deliberation, upon the means of his final disposition—communicate, while in this situation, with several members of a chapter of their body, then numerous,ly attended in the neighborhood—and resolve unanimously, though with painful reluctance, on the part of some, that their masonic obligations required them to murder him not for any offence against the state, but for the sole cause of his attempting to publish the secrets of the order, which he had a lawful right to do, and which, considering their character, he was bound to do, by every consideration of private morality and fidelity to his country. On the night of the 19th of September, 1826, they accordingly murdered him. To this fearful commutation none were privy, but those who had as masons, sworn to assist each other, right or wrong, and to conceal each other's murder and treason. After the murder, all the precautions possible was taken for concealing it; but this not being wholly successful, and legal prosecutions being threatened, the criminals frequently met and consulted together, for their mutual safety. The most influential among them invited, that it called by the legal authorities of our country to testify, they one and all must swear they knew nothing of the matter; otherwise they would be forever to masonry and might lose the life they would thus forfeit. As witnesses, as magistrates, as sheriffs, as grand jurors, as petit jurors, as legislators, these masons and others with whom they were intimate, would know nothing of it. In all their civil relations they violated their oaths and the most sacred duties. They flew to each other's assistance knowing their criminality. They gave each other notice of the approaching danger of legal prosecution. They spied away witnesses whom they feared, would disclose too much. They prepared themselves in court. They consciously refused to answer questions decided to be legal. They declined to answer, on the ground, that if they should, they would criminate themselves in relation to the murder. They prevented the judicial ascertainment, and punishment of the foul criminals. They made common cause in behalf of these criminals, against the rights of the citizen, and the laws of the land. Thousands of them were acquainted with some of the steps of these crimes against the state. Hundreds of them know the leading malefactor.

A good citizen cannot look on with indifference and see a fellow freemason kidnaped and murdered. He cannot know that such crimes are successfully protected, by an extensive, artful, and powerful conspiracy, without being exerted against it. The sympathies of a patriot embrace his whole country. The poorest man, the most defenceless woman, the weakest child in it, cannot be assailed with unlawful violence, without quickening his pulse, and stiffening his sinews, with indignation. His blood is up in every case of high crime; and it keeps

* This pledge is sometimes omitted in the royal arch degree; and sometimes included in the master's degree.

up against the aggressor, till the law performs its office upon him. To the law he is willing to submit, because he knows it is the deliberate expression of the public will for the public good; the great shield spread by the hands of all, over the rights of all.

Individual rights are, separately considered, of immeasurable and indefinite worth. They partake of the infinitude of moral existence and responsibility. As contemplated by our government, a single individual, and one as much as another, is an august being, entitled to inviolable reverence, and bearing upon him the badges of a most majestic origin, and the stamp of most transcendent destinations. His safety, his liberty, his life, his improvement, his happiness, it designs, at all times and places, faithfully to protect, by the application of all its delegated means. The law is the beneficial instrument of this protection, and should be appreciated by every reflecting man as the sacred, living, and most venerable expression of the national mind and will. Break this, and the nation has but one right left, which it can peaceably enforce, the right of suffrage.

The masonic institution is answerable for the crimes to which we have referred. They were committed in obedience to its prescribed and specific oaths, and in fear of its penalties. The man-stealing and murder, were for no other than a masonic officer. The whole array of its frightful crimes, not of court, and in court, were no other than necessary means of carrying into effect the obligations it has deliberately and universally exacted of its members. All who uphold the obligations, uphold the crimes. No adhering mason has afforded the least willing assistance to the exposure and punishment of them. No lodge or chapter has called the criminals to account. Many of them are known to the public. Chesebrough, and Sawyer, and Lawson, and Bruce, and Whitney, have been convicted of the conspiracy to kidnap, and have been condemned and suffered infamous punishments, and the very murderers are known with moral, though not with strict judicial certainty. Not one of these men have been expelled. The grand lodge or grand chapter of which they were members, has the power of expulsion, but has declined to exercise it in relation to them; and such of them as are still living, are, in masonic estimation, worthy members of the order.

But the fraternity have gone much farther to make that crime their own. In 1827 the grand lodge gave 100 dollars to one of its members then under public accusation for kidnapping Morgan; and afterwards convicted of that offence; and the grand chapter, by its vote, placed 1,000 dollars at the control of another of its members, ostensibly for charitable uses, of which a part has been proved, in a court of justice, to have been applied for the benefit of other kidnappers; and the trustee of the charity has never been called to an account by the grand chapter, for any part of the sum, though in all other cases such accountability is enforced by the chapter. The records of this last body, apparently relating to this transaction, have been produced in court, and were seen to be mutilated.

The fraternity have also employed and paid able counsel to defend the criminals.

In this way, while the chief magistrate of the state of New York was, by proclamation, offering money, for the conviction of the offenders, the highest masonic bodies, in that state, were offering, and in their associate capacity actually paying money to protect and support them. Can it be justly thought surprising, then, that so few convictions have followed upon such enormous offences, and that no more of the facts have been ascertained in legal form?

The criminals, in all these atrocities, testified their devotion to the institution, and by its own laws are only the more entitled to its good regard, by all the hazards they involved. That care has been extended to them in every form of expression tending to their relief and comfort. Besides the exertions of their brethren already alluded to, adhering masons have, at great expense, established and circulated newspapers to vitiate all who were engaged in exposing the crimes, and to call into action the entire resources of the fraternity, in behalf of those who committed them. These newspapers have, with the most unflinching hardihood, asser-

ted the innocence and praised the virtues of the convicts, several of whom they knew to have confessed their offences. They have commended the most stubborn refusal in court to reveal the truth by masonic witnesses, as *many firmness*. They have in every form of misrepresentation, which they could devise, labored to darken all knowledge of the facts relating to the outrages; and to blot out the moral sense of the community.

Hundreds of the brethren in different counties in the state of New York, have published addresses, under their names, in which they have deliberately contradicted facts established judicially, by many of their adhering brethren and by many avowed masons; and which, under the sanction of a lawful oath, and subject to cross examination before the public, they would be compelled to admit. Similar falsehoods have been published in an address of a committee of the grand lodge of Rhode Island—and the grand secretary of the grand lodge of New York has recently issued an official letter, in which he represents that body as extending its deprecations, confident in its strength, and determined to outwage all the consequences of their detected guilt, and the public indignation. Nothing could account for this universal course of falsehood, but the unhappy truth, that the men who are engaged in it, have sworn, under the penalty of death, to conceal the secrets of freemasonry, a most essential branch of which consists in the crimes of its members. This course is countenanced by the president of the U. States, who is a mason, and who has recently appointed as heads of the departments in the national government, a majority of distinguished masons. One of these heads of departments—the post master general, the only one retained of the late cabinet, has removed a large number of his most competent and faithful deputies, in New York, for the sole cause of the zeal and patriotism with which they sought to bring into just exposure the crimes and institution of freemasonry.

The course of these transactions is rapidly corroding and wearing away the very basis of all public and private virtue in our country; and eradicating that moral confidence, upon which the business of life, its peace, and its enjoyments essentially depend. When men refuse to bear testimony in court, to public offences, of which they know the perpetrators, and are proved for it—when they perjure themselves, and are not disgraced—when they are convicted of a conspiracy to kidnap a free citizen, and are applauded as victims to the prejudices of their countrymen—when the distinctions between right and wrong are practically superseded, by the systematic and solemn injunctions of a wealthy, intelligent, numerous and powerful society, diffused and sustaining itself in all the places of social influence and honor—when in pursuance of this injunction, the laws of the land, in the solemn places of their judicial application for the punishment and punishment of the most flagrant offences, are foully baffled, set aside and scorned—then, the social fabric is trembling—then there can be but one alternative, that of reform or ruin—then, looking beyond, but not forgetting, all the considerations of attachment to the policy of encouraging this or that branch of national industry—this or that scheme of financial management,—this or that exposition of the principles of our political organization—this or that subject of all our foreign and domestic policy, the considerate friend of his country will govern himself primarily, by the obvious necessity to which he is reduced of preserving for his country the power of determining for itself upon any course of policy, and of disengaging the heart of the body politic from the fangs of a monster more blood thirsty, remorseless and insatiable, than any, which has ever come to prey upon the hopes of men.

There is a bearing of freemasonry, not yet embraced in this address, which is repulsive to the most distressing apprehensions. There is located, in Boston, a masonic body denominated the African grand lodge, which dates its origin before the American revolution, and derived its existence from a Scottish duke. This body acknowledges no allegiance to any of the associations of American masonry. Its authority is co-extensive with our union. It has already granted many charters to

African lodges. We are afraid to intimate their location, to look in upon their proceedings, to count their inmates, or to specify their resources.

What are the means of removing these dangers? The dangers are confined to no one place, in our country, and to no one department of our social interests; but extend to all places, and infect every department. Common prudence demands, that the means should be capable of reaching them, wherever they exist, and susceptible of a safe application, in their utmost extent. Such means we have; and we are familiar with their use. They consist in the honest exercise of the right of suffrage, and the most patriotic employment of official patronage. The evils of freemasonry operate upon the moral and political condition of the nation, and can be removed only by moral and political means. It is the exalted excellence of our political institutions, that they are especially designed and adapted to secure our rights, all of which pertain to us as moral beings. In voting, every elector should always be governed by a knowledge of his rights, and the desire of preserving them. There can be no higher political duty than this.

But the use of our right of suffrage against freemasonry is termed proscription. Proscription cannot be imputed to a party, because it justly opposes what is wrong. It is not proscription to be resolute and active in detecting and denouncing opinions of which the obvious tendency is to enslave society; or to resist, by every lawful means, the influence of men, who commit crimes, and contribute to support each other in their commission. To call such detection, denunciation and resistance, proscription, could never satisfy an honest mind. It would be like stigmatising, with an opprobrious epithet, those public benefactors, who teach men, that all violations of duty are criminal and disreputable, and make their best exertions to discourage them. Proscription can apply only to those, who oppose and lessen the influence of their fellow citizens, because they innocently and with good motives, think and act differently from themselves. Such proscription deserves reprehension, because it invades the equal rights of others, and is averse to the improvement and happiness of all.

The offences of freemasonry upon our individual and national rights, if they had been committed by a foreign nation would, by the law of nations, have justified a public war to avenge them. Shall we fall in love with crime because those who commit it are near us? Shall we spare the destroyer because we can subdue him peaceably? Freemasonry can be destroyed by the votes of freemen, and by nothing else. All who are truly opposed to it, will always vote against it. And they deceive nobly but themselves, who profess opposition to it, and yet dare not express that opposition by their vote.

No good reason has been rendered, or can be rendered, why a freeman, who is opposed to freemasonry, should not vote against it. The application of the right of suffrage against it is just, peaceable, effective and may be as comprehensive as the evils which alarm us. And no other means can be described, or imagined which unite these characteristics. Voting is the only decisive means by which public opinion can be distinctly ascertained upon the subject. And since many persons not initiated into the society, openly connect themselves with its fortunes, and make every exertion in their power to sustain it, by their votes, we cannot safely, if we would, betake ourselves to any other resort but the ballot boxes for its destruction. These persons affect to consider themselves as entitled to the praise of all candid and unexcited minds, by the course which they adopt; and profess to be neither masons nor anti-masons; claiming the respect of the community for their indifference to its rights and welfare. If it had not been for the support of the order, by interested and profligate politicians, who were not members, the forfeiture of public confidence justly incurred, by its crimes, would have been so early borne to the minds of its most worthy members, as long ago to have induced its entire dissolution. It is an undoubted fact, that the men, who are neither masons nor anti-masons, are answerable for the continuance of the order. They have kept it from sinking into annihilation by its sins, and are thus equally consumable with its members. No association of men,

however impudent and hardened, can withstand, for years, the indignant, well loaded, universal rebuke of their fellow citizens. So treated, the worst members would be driven from the face of the sun, and from public observation, into the hostesses and caves of the earth, to take upon themselves the skulking habits, along with the flagitious purposes, of felons; and the best would be compelled to abandon it.

It is attempted to make anti-masonic odious, because it is political. But these attempts must recoil upon those with whom they originate. None but tyrants can think the use of political means degrading. And there seems to be peculiar effrontery required to impeach it, in a country where every thing most memorable, in its history has been inseparably connected with political movement, and every thing most animating in its prospects, is dependent upon political action and supersession. The exertions of our fathers to establish our independence, were political exertions. Even the revolutionary war and the war of 1812, were waged for political objects. The constitutions, by which our civil and religious rights are secured, are political constitutions. And this independence, these constitutions, and rights, can be preserved and perpetuated only by political means.

Voting for our public servants is the highest exercise of sovereign power known in our land. It is the paramount distinctive privilege of freemen. In countries where only a small minority of the people are authorized to vote, if oppressive measures are adopted, by their rulers, they must either submit, or fight. In countries where all the citizens are authorized to vote, if they are oppressed, they can throw off the oppression, by their votes. And if the frowns of power, or the calumnies of malefactors have force to dissuade them from using their votes to throw it off, they are fit for slaves, and can be only slaves. The highest functionaries of the general and state governments are amenable to the people, for the proper discharge of their duties. But a freeman, when he votes for a candidate, exercises the right of selecting, among those who are eligible, subject to no authority under heaven. For his choice, he is accountable only to his conscience and his God. And why should he not, in the most sovereign act he can perform, do himself the great justice of giving expression to the honest conviction of his soul? If having the will, he cannot do it, he is a slave. If having the power, he will not do it, he is corrupt.

An enlightened exercise of the right of suffrage is the constitutional and equitable mode adopted by the anti-masons to remove the evils they suffer, and produce the reforms they seek. But this mode, to be availing, must include a judicious selection of candidates. After diligent inquiry and mature deliberation we have selected, and now nominate, for your support, as a candidate for the office of president of the United States, at the next election,

WILLIAM WIRT, of Maryland;

And for vice president,

AMOS ELLMAKER, of Pennsylvania.

These citizens we deem eminently possessed of the qualifications before set forth, as most essential for the offices, with which they have associated their names—and confident of their devoted attachment to the principles of administration contained in this address, and their concurrence in our views of the crimes of freemasonry, and the necessity of their removal, by directing against them the sovereign and free remedy of public suffrage, and the bestowment of official favors, we earnestly recommend them to your support. Their election would be a great step towards the rescue of our republic from the odious and formidable power which endangers it; and we will labor to accomplish it, in the spirit of freemen. In this labor we invite you to participate.

Our free principles cannot be preserved without constant vigilance, and a continuance of the same disinterested and determined action, by which they were established. They are the best possession of the rich, and the only wealth of the poor. They are the common and peculiar property of the nation, embracing all its rights, its virtues and its fortunes.

Neither the price of our liberties nor their fruits will permit them to be regarded without emotion, by any

intelligent mind. They have been purchased by ages of just, and earnest thought, of brave and generous effort, of vicissitude, and suffering, and blood. Nor have they been purchased in vain. They have taught man to form a just estimate of his own worth, and of that of his fellow beings, to estimate the value of a reasonable and responsible creature, not by the place which he may hold in an artificial and unnatural state of society, but solely by the faculties conferred upon him, by his Maker, and the intelligence and virtues of his character. And while they have abased the proud from his stilted and haughty elevation, they have brought up the poor to the exalted standard of human rights and human hopes; and thus opened the way for the whole family of man, "to run the great career of justice." We have set out first in this career. Let us remove every impediment, which would obstruct our progress in it, and by the attractions of our success invite all nations to embrace it. If we are true to ourselves, our institutions, our fathers and our posterity, this is to be our glorious destiny.—The influence of our example is already great. In our foreign conflicts and negotiations, our vigor, prudence, and wisdom, have made us respected and illustrious. Let not these qualities be wanting in their proper domestic applications, that the value of our example may be enhanced, and its influence increased. Providence has manifestly cast upon us the high responsibility of determining the most interesting problem of social life, that of man's capacity for self-government. If we suppress all unsocial conspiracy and selfish faction, from within, as we hitherto have done all dictation and tyranny from without, we shall determine it in favor of liberty. Such a determination the great and good of every nation expect from us; and they are beginning, in the face of all their foes, to hazard upon it, their possessions, their honor and their lives. Let us neither disappoint them, nor betray ourselves. A disinterested and faithful adherence to the principles which we inculcate, and to the modes of sustaining them, which we recommend, becomes both our cause and our responsibility; and irresistibly commending itself to the honest and the free, it will give that cause success. If it fails, then, right, duty, improvement, self-government, happiness, are phantoms. We shall be compelled to repudiate the memory of our immortal sires, and forgo the great inheritance they have bequeathed us. But it will not fail. Freedom is not more the friend of man, than the favorite of heaven. It is equally our highest glory, our most sacred duty, our most assured hope and our promised possession.

MAINE.

Levi Cram, Bangor, Penobscot county.
Hanes Learned, Gardner, Kennebec county.

NEW HAMPSHIRE.

Caleb Emery, Lyman, Grafton county.

VERMONT.

Joshua Rising, Rupert, (West) Bennington county.
Samuel C. Loveland, Reading, Windsor county.
Charles Davis, Danville, Caledonia county.
Joseph H. Brainerd, St. Alban's, Franklin county.
Edward D. Barber, Middlebury, Addison county.

MASSACHUSETTS.

Abner Phelps, Boston.
Amasa Walker, do.
Benjamin V. French, do.
Stephen Oliver, Lynn, Essex county.
Alpheus Bigelow, Weston, Middlesex county.
Nathan Lazell, jr., Bridgewater, Plymouth county.
Joseph Morton, Milton, Norfolk county.
John Bailey, Dorchester, do. (P. O. Milton).
Mecha H. Ruggles, Troy, Bristol co. (P. O. Fall river.)
Hiram Manly, Easton, do.
Gardner Burbank, Worcester, Worcester county.
Samuel B. Barlow, Granville, Hampden county.
Epaphras Hoyt, Deerfield, Franklin county.
Naham Hardy, Waltham, Middlesex county.

RHODE ISLAND.

William Sprague, Cranston, Providence co. (P. O. Providence.)
George Turner, Newport, Newport county.
Benjamin F. Hallett, Providence.
Walter Paine, jr., do.

CONNECTICUT.

Smith Wilkinson, Pomfret, Windham county.
John Boynton, South Coventry, Tolland county.
Samuel Kellogg, Colchester, New London county.
Henry Halsey, Windsor, Hartford county.
Henry Terry, Plymouth, Litchfield county.
Sheldon C. Leavitt, Bethan, do.

NEW YORK.

Henry Cothran, New York city.
Henry Dana Warril, do.
William Howarth, do.
Robert Townsend, jr., do.
Samuel St. John, do.
Samuel A. Foote, do.
Jonathan Ferris, Cortlandt, Westchester, (P. O. Peekskill).
Thomas S. Lockwood, Fallsburgh, Sullivan county.
James Hurt, Warwick, Orange county.
Silas Stone, Hamilton, Columbia county.
Joseph Case, Petersburgh, Rensselaer county, (P. O. Hoosick).
Samuel M. Hopkins, Albany.
David Russell, Salem, Washington county.
Samuel Partridge, Postdam, St. Lawrence county.
Reuben Goodale, Watertown, Jefferson county.
John C. Morris, Butternuts, Otsego county.
Gamaliel H. Barstow, Nicholls, Tioga county.
James Goldess, Onondaga, Onondago county, (P. O. Geddes).
John C. Spencer, Cananadaga, Ontario county.
Evert Van Buren, Pennyan, Yates county.
Elisha Miller, Auburn, Cayuga county.
Phineas L. Tracy, Batavia, Genesee county.
Philo C. Fuller, Genesee Livingston county.
John Birdsall, Chautauque, Chautauque county, (P. O. Mayville).
George H. Boughton, Lockport, Niagara county.
Thomas Beckman, Peterboro, Madison county.
Samuel P. Lyman, Utica, Oneida county.
Samuel S. Seward, Warwick, Orange county, (P. O. Florida).

James S. Wadsworth, Genesee, Livingston county.
William H. Seward, Auburn, Cayuga county.
Nicholas Devereux, Utica, Oneida county.
Myron Holley, Lyons, Wayne county.
Tilly Lynde, Sherburne, Chenango county.
Charles W. Lynde, Homer, Cortland county.
Timothy Childs, Rochester, Monroe county.
Noble D. Strong, Auburn, Cayuga county.
Wm. G. Verplanck, Ballston Spa, Saratoga county.

NEW JERSEY.

John Rutherford, Lodi, Bergen county, (P. O. Belville Essex county.)
James Vanderpool, Newark, Essex county.
John H. Voorhees, Bonnilbrook, Somerset county.
John Alling, Newark, Essex county.
William Vanderpool, do.
Joseph Northrop, do.

PENNSYLVANIA.

Harman Denny, Pittsburgh, Alleghany county.
John Clarke, Philadelphia.
John R. Jones, do.
William Grimsdew, do.
Charles Waters, do.
Samuel Parker, Lancaster.
Owen Stover, Westchester, Chester county.
George Smith, (Haverford P. O.) Delaware county.
James Paul, (P. O. Willowgrove,) Montgomery co.
Thomas Elder, Harrisburgh, Dauphin county.
Christian Pretz, Allentown, Lehigh.
Samuel Leidy, Lower Saucon, Northampton county.
John Burrows, Montoursville, Lycoming county.
Jacob Alter, (Carlisle, P. O.) Cumberland county.
Jacob Cassatt, Gettysburg, Adams county.
Charles Ogle, Somerset, Somerset county.
Jacob B. Miller, Uniontown, Fayette county.
Samuel McKeehan, West Alexandria, Washington co.
William W. Irwin, Pittsburgh, Alleghany county.
Joseph Buffington, Kittanning, Armstrong county.
Robert Falconer, Warren, Warren county.
Charles Diet, Windsor, York.
Samuel Harvey, Germantown, Philadelphia county.
William Heister, New Holland, Lancaster county.

Benjamin Riegler, Monroe, P. O. Bucks county.
 Thomas H. Burrows, Lancaster city.
 Thaddeus Stevens, Gettysburg, Adams county.
 Thomas C. Hamby, York, York county.
 1810.

Jonathan Stone, Racine, Portage county.
 Jonathan Warner, J. Horton, Ashland county.
 Warren Jenkins, Columbus, Franklin county.
 Ziba Landis, Jr. Athens, Athens county.
 Nathaniel Kahler, Rush, Champaign county.
 Robert Hanna, Cato, Harrison county.
 Franklin Baker, Seneca county.
 James Pike, Columbus, Franklin county.
 Frederick W. Fowler, Milan, Huron county.

DELAWARE.

Joshua V. Gibbins, Wilmington, Newcastle county.

MARYLAND.

John S. Shriver, Baltimore.

THE MISSIONARIES.

From the (Georgia) Recorder of September 24.

Trial of the Missionaries, &c.

Our correspondent writes to us from Lawrenceville on the 16th instant as follows:

"An interesting trial took place yesterday before the superior court of this county, in the case of the state against Elizar Butler, Samuel A. Worcester, James Trot, missionaries, and eight other white men, residents of the Cherokee country the latter with but one exception, have been charged with Cherokee women.

They were tried upon and found guilty of the territory occupied by the Cherokees within the charter of limits of Georgia, in violation of a law passed at the last session of the Legislature, which required them to take an oath to support the constitution and laws of the state. It was contradicted by counsel in their behalf, that the law was unconstitutional; that the state had no right to exercise jurisdiction over that territory, and to make such an execution of them, inasmuch as it was not required of other citizens. The court in the end decided that it had been the uniform practice for years past, to enforce the criminal jurisdiction of the state over that a portion of country; that individuals similarly situated had been punished for a violation of the laws, they cited authorities to prove the right of the state in this respect, and that other states had, under precisely similar circumstances, exercised both civil and criminal jurisdiction. A jury had been called and had taken about 9 o'clock in the morning, appeared to be impartial and as little biased by prejudice as any that could be obtained. The argument did not close until after 12 o'clock at night. Judge Clayton then delivered to the jury in the case, pronounced the law and which the prisoners were arraigned to be, in his opinion, clearly constitutional, cited numerous decisions in similar cases heretofore determined, and directed the jury to decide for the lives from the evidence in the case, as to their guilt or innocence. The jury after fifteen minutes absence, returned, finding the whole guilty. The prisoners were to-day sentenced to undergo four years imprisonment in the penitentiary. When they were arraigned to receive sentence, and the question was put by the court why they should not be pronounced, Mr. Worcester rose and replied to the following effect:—I did not in the previous trial. I am guilty of the charges which have been made against me in the argument of this case, but not alleged in the indictment, then I have nothing to say why the sentence of the law should not be pronounced against me. But I aver before my God and my country, that I am not guilty of those charges. I therefore say what I have heretofore said, that the state of Georgia has no right of jurisdiction over the territory in which I reside, and therefore this court has no right to pass sentence upon me."

It has been intimated here that these prisoners act under the advice of high counsel—that their rate is expected to be removed by writ of error and they released—some of them not desiring the executive clemency.

Counsel for the prisoners, Messrs. Harden, Chisler, Harris and Underwood. For the state, Messrs. Squire, Travis, Hulings and Holt. Mr. Monroe also addressed the jury, but merely with the view of cautioning them against being influenced by any degree of prejudice in their decision."

	Sentence of the court.	
The state,	vs.	Indictment,
The missionaries.		In Guinneth superior court.
Verdict—Guilty.		

As I sincerely believe this prosecution has been sought and conducted, I will not say in an unchristian temper, but certainly in a great spirit of opposition to the laws, for political effect, I deem it my duty to make a few remarks on this occasion, not by way of vindication of the public authorities, for they need none, but to prevent a universal opinion of public opinion, and with a hope that it may and will excite many an innocent and innocent individual, who has been accused into a similar transgression, by the high example of this infamous abuse-dictator. I mean no reprimands, the penalty of the law is punishment enough for the offence, and my respect for misfortune always inclines me the rather to reduce than increase its sufficiency. I shall speak a free and decided language, unmingled however with the least temper of unkindness. Forseeing, as I think I do, one of the main objects

of this singular perversion, I will endeavor, as far as in my power to counteract it by a full and plain history of the case. I will not pretend to discuss the right of jurisdiction; that matter is a thorn; but that every body may see the true nature of this whole transaction, I proceed to give the following narrative: In the year 1828, the late venerable president Monroe, commenced to engage in the design which had been the subject of deep reflection by that benevolent sage, of ameliorating the condition of the Indians bound on the east of the Mississippi, by way as he emphatically expressed, "of atonement alike due from our justice and humanity, for the long train of injuries inflicted on that race, by the discovery and settlement of America. I wish my limited powers could have done more for the whole of this document, but I can only give a few of its outlines. He commences thus: "being deeply impressed with the opinion that the removal of the Indian tribes, from the lands which they now occupy within the limits of the several states and territories, to the country lying westward and northward thereof, is of very high importance to our union, and may be accomplished in a measure to promote the interests and happiness of the tribes, the attention of the government has been long drawn with great solicitude to the object. For the removal of the tribes within the limits of Georgia, the motive has been peculiarly strong, arising from the compact with that state." After stating many considerations in favor of this plan, such as the future peace and contentment of the Indians; their removal from all the causes which disturb their quiet, hasten their peace, support their religious instruction, and finally their removal from the influence of the white people, he clearly demonstrated, that in their present state it is impossible to incorporate them in such masses in any form whatever, into our system. It has also demonstrated with equal certainty, that without a timely anticipation of, and provision against the dangers to which they are exposed under circumstances which it will be sufficient to say, it is not possible to control, their degradation, they would be gradually and inevitably brought to the point of being greatly attached to their native soil, from a variety of motives, yet "to prevent intrusion on their property, to teach them by regular instruction, the arts of civilized life, and to form them into a regular government, were considerations of so powerful a nature, as to induce them, and especially their elders, who had attained sufficient intelligence to discern the progress of events, to acquiesce in the plan, and by yielding the debt of justice, due to the future of the government, to prevent them from inevitable destruction."

"To the United States, (he said) the proposed arrangement offers many important advantages in addition to those already enumerated. By the establishment of such a government over these tribes, with their consent, we become in reality, their benefactors. The relation of conflicting interests which has heretofore existed between them, and our frontier settlements, will cease. There will be no more wars, and the peace of the United States. And it may be fairly presumed that through the agency of such a government, the condition of all the tribes inhabiting that vast region to the Pacific, may be essentially improved, their peace preserved, and our commerce extended." Here then is the beginning and foundation of that wise and humane policy laid by the general government, so worthy of the heart and heart that conceived it in the first place, and so worthy of the debt of justice, due to this unfortunate people. Is it not just? Is it not humane? Ought it to be frustrated? I put these questions to all candid and reflecting minds. But this is not all; this policy has the sanction of other great names. Mr. Calhoun in the same year as secretary of war, made a report to congress on the same subject, and stated among other facts, that the whole nation of Indians to be removed in the United States, did not exceed 22,000, and the population of Rhode Island, and the sum of 90,000 dollars would effect the object, and concluded by a declaration that if fixed principles are adopted to effect the object, such as had been suggested by the president and himself, the basis of a system might be laid, which in a few years would entirely effect the object in view, to the mutual benefit of the government and the Indians, and which in its operations would effectually arrest the calamitous course of events, to which they are now subjected without a radical change in the present system." The next statement we find recommending this highly benevolent object, is president Adams, and in accordance with his views, the committee on Indian affairs, to whom that part of his message was referred, called upon Mr. Barbier then secretary of war, for such report and specific plan as was best calculated to accomplish the purpose, to labor, their removal, and submitted it with very able and judicious remarks, warmly recommending the plan, and enforcing it by a variety of considerations replete with justice and wisdom. Among which he urged that "next to the advantages to be gained by ours lives the future residence of these people—will be for ever undisturbed, that there at least they will find a home, and a resting place, and being exclusively under the control of the United States, and consequently free from the rival claims of any of the states, they form a new and happy people, faith that it shall be theirs forever, and they guarantee it therefore given;" he concluded then his able report, with the following impressive language: "I will add, that the end proposed, is the happiness of the Indians—the instrument of its accomplishment—thence progressive, and finally their complete civilization. The obstacles to success, are their ignorance, their prejudices, their repugnance to labor, their want of industry, and the uncertainty of the future. I would endeavor to overcome these by schools, by a distribution of land in individual right, by a permanent establishment, which should require the performance of social duties, by assigning them a country of which they are never to be deprived, and cherishing them with parental kindness. In looking to the possible results of this plan, I am cheered with the hope, that most good may be effected with comparatively little injury. Our difficulties in their present form will be diminished or removed."

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Though the policy adopted toward the Indians originated with President Monroe, it was continued by President John Quincy Adams. Adams, was approved by his successor, Mr. Adams, and as vigorously defended by his ex-ministers, Messrs. Barlow and Pater, yet when President Jackson signified his approbation of this generous work, and really effected nothing more than the relaxation of what he conceived had been already begun and put in progress by his predecessors, then indeed, it was an act of barbarism. It was only the most unbecoming and unbecomingly all too human and divine. And persons lost to the obligations to obey the laws of their country have been found to finally deluded, as to believe they had the right to oppose all exactions employed by the government to effect this highly useful and favorite purpose. When all the circumstances attending this transaction are fully and fairly considered, it presents a subject to say the least of it, the most astonishing weakness. Let it be remembered, that the most important and fundamental of all the exonerations of the ex-Indians and the ex-creators of war, had so far acquired the confidence of the people of the Union as to have produced in its favor a public act of Congress. That in obedience to this act, a letter home had been addressed to the Indians as well as full compensation for that which they should have, as reported in the foregoing chapter, been supplied with many articles not only of cost, but of property highly useful to them in the conduct of their future life. And one year's promise made them, arising as their new honors, and then forever threatened to receive the constant protection of the general government. This in fact, they had assumed from the government, upon which they could rely, of a permanent settlement, such as so future exactions could disturb, for removed from all causes which could possibly thwart its realizing operation; and in the event of their removal, out of the country, the ex-Indians believed that the government signally contradicted the effect of missionary labors. Apart from the striking advantage to them, we have seen in the views of the great statesmen already mentioned, that much was expected to the interest of the government in its relation of peace, commerce, union, and above all, in the discharge of a long deferred compact with the state of Georgia, which has been so superstitiously, as to produce a spirit of discontent, and a spirit of opposition to the state, and the state in the fidelity of the general government, but greatly to disquiet the repose of the Indians themselves. Are not these considerations enough to have induced a doubtful and orderly citizen, if not disposed to and in such a benevolent object, at least to have restrained his opposition? But it seems they were not; a spirit of resistance and disobedience has been infused into the Indians by the white men at the nation; they have had political and religious teachers, who have been so far from being the missionaries themselves have had a public meeting, and resolved that they viewed a removal of the Indians over the "discovery" of an ancient to be most earnestly deprecated. The resentment of the Indians have been excited to the highest pitch by public and private harangues against the laws of the state, and against the present and past administration of the state government, not only in character belonging to both governments have been insulted and calumniated in their councils as by their priests, and when an attempt has been made by Georgia to remove this influence from among them, it has been met by the most decided and prompt opposition. The state has been defiled, and a territory over which she has the exclusive jurisdiction has been openly declared by these white men to belong to the United States, and that the state government is a usurper, not only independent of Georgia, but of the U. States. Yet, through this malicious influence, a constitution and government has been formed, and lest we might not be sufficiently notified of its existence by the usual method of manifestos, they have dragged our citizens, before their tribunals, and inflicted disgraceful and cruel punishments, unknown to our laws. Such have been the refractory and high handed usurpations of the state government, that it is at length compelled, in measure of self-defense, to take the rule of a country to which, by the annual as well as public documents of the government, she has the most undoubted right.

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I am willing to make all due allowance for the diversity of human opinion, in matters of government, as well as in religion; but I cannot see how any individual, what shall be the consequence if he is not indulged, was allowed to judge for himself, whether he would obey the laws or not, especially after they had been pronounced by the only competent tribunal to be constitutional? If these individuals have the right to do it, all the rest in the community have; and what I repeat, would be the consequence? Anarchy and confusion, and then what becomes of the examples of "holy writ"? Wherein are we required to "submit ourselves to every ordinance of man for the Lord's sake, whether it be to the king, as supreme, or unto governors, as unto him that is sent by him for the punishment thereof, and for the praise of the Lord?" And why? "For, that with well doing, ye may put to silence the ignorance of foolish men—as free and not using your liberty for a cloak of maliciousness, but as the servants of God." P. 1. ch. 13, 14, 16.

One of these individuals replied to the governor, that "if I suffer in consequence of continuing to preach the gospel, and suffer in consequence of continuing to obey the word of God, for it may be truly said that 'word,' especially when it enjoins upon the citizen, 'to keep the king's [state's] commandment, and that in regard to the oath of God, be not hasty to go out of his sight, stand not in an evil thing, for he doeth whatsoever pleaseth him. Whence the word of a king is, there is power; and who may say unto him, thou art doing wrong?'"

fuse the word of God amongst this people, I trust I shall be sustained by a conscience void of offence." Now in this speech there is all manner of unkindness, and the meanness that directs "to render unto Caesar the things that are Caesar's, and unto God the things that are God's" would have required a more ingenious answer, if not for preaching the gospel, that the governor wished him either to remove or "suffer." As the executive power of the state, solemnly sworn to execute the laws, he only informed the individual that there was a law which required all white men, without distinction—for laws to be just must be equal—residing in the nation, to take an oath to support the constitution of the state, or to leave the territory; and he was doubtless very hopeful that this person's actual reading, as well as his love of the gospel, would have reminded him that "every soul must be subject unto the higher powers. For there is no power but of God; whosoever therefore resisteth the power, resisteth the ordinance of God, and they that resisteth shall receive to themselves damnation. For rulers are not a terror to good works, but to the evil. Will it then not be afraid of the power?" Rom. xiii. 1, 2, 3. The governor seems to have suspected that there were some of the good citizens of Georgia who felt themselves "under no moral obligation" to respect the "enactments" of the state, by reason of their apprehending that she had "no rightful jurisdiction over the Indian territory"—he therefore warned them that as the executioner of the law, "he beareth not the sword in vain," and would consequently be compelled as "a revenger to execute wrath upon him that doeth evil." (Wheeler's letter.) ye must needs be subject, not only for wrath, but also for conscience sake." There is in every part of the moral and pious community of the United States, but especially at the north, an unusual anxiety to colonize another description of people in this country, whose condition is better than that of the Indians; and yet, strange to tell, the same object attempted for this declining race, by some of the wisest and best of our countrymen, backed by the patronage of the whole government, under much more favorable auspices, meets with the persevering opposition of this same community. This is either strange inconsistency, or the colonizing of Africans speaks one thing, while it means another.

To my mind, and I would fain believe to every dispassionate man, there is no good reason for putting upon the severe penalty of this law, and foolishly defying its execution, which cannot be excused upon any principle of sound religion or a rational and discreet desire to serve the cause of piety, for surely that religion which requires us to "render tribute to whom tribute is due; custom to whom custom; fear to whom fear; honor to whom honor," never could demand such resistance to the laws of the land, as would involve in delinquent a forfeiture of all the enjoyments of liberty, and impose in their stead all the hardships of an ignominious slavery. I do exceedingly regret that the warning voice of this court, at its last session, of the governor, of the law, and I would add with great reverence, of God himself, had not induced these individuals to pause before they plunged themselves into such a reckless calamity. Both governments have been deeply engaged in the work of removing the Indians, for causes they need never be ashamed of avowing, and before God and man, if they are sincere in the motives which impel them to this undertaking, they are rendering the only atonement in their power for the long suffering of a much injured people, and such, in my humble opinion, as high Heaven itself will own and bless. To prevent then the accomplishment of a work so deplorable, is not only presumption, of the highest character, against the sacred will planned by, but is cruelty to the Indians, ingratitude to the country, and what is worse than all, seems when persisted in, to involve a consequence with which no prudent man should dare to trifle.

The eleven persons against whom sentence was pronounced, were brought to this place by the sheriff of Gwinnett county, on Thursday last. Nine of them were pardoned, after giving assurances that they would not again violate the laws. But two of the missionaries, Messrs. Worcester and Butler, declining to give any such assurance, and appeared not disposed to profit by the executive clemency, which would have been extended to them, in common with the others, if they had given such assurances, were committed to the penitentiary. Subjoined is the governor's letter to the inspectors of the penitentiary and their answer.

Executive office, 22nd Sept. 1831.

Gentlemen—I understand that a number of persons have been lately convicted in Gwinnett county, for illegal residence in the territory occupied by the Cherokees within the state, and will very soon be placed within the penitentiary, unless they should be considered proper subjects for the exercise of the executive clemency. As it is possible that some of these persons may have committed the offence of which they have been convicted, under mistaken opinions of their own duty, or of the powers of the government, I am desirous of pardoning such of them as may have thus acted, and will now give assurances, that they will not again violate the laws of the state; if they should be found worthy of such clemency.

You are requested to see each of the prisoners, and converse with them alone, and ascertain from them whether they are disposed to promise not again to offend the laws if they should be pardoned. You are also desired to ascertain as accurately as you can, what has been the general character of each of the convicts, and the motives which have influenced them in their opposition to the authority of the state.

The result of your enquiries and conversation, you will oblige me by communicating as early as convenient. Very respectfully, yours, &c. GEORGE R. GILMER.

Messrs. James Camak, Benj. A. White, Tomlinson Fort, inspectors of the penitentiary.

Penitentiary, 22nd September, 1831.

Sir—In compliance with your request of this date, we met at the penitentiary, and investigated the cases of each of the individuals brought from Gwinnett, separately. Enclosed, we send statements of James J. Trotter—Samuel Mays (No. 1), Edward Doolier (No. 2), Sully Eaton (No. 3), Thomas Gann (No. 4), A. Copeland (No. 5). You will find also, a written petition in favor of S. Mays, enclosed in No. 1.

We have personally examined Benjamin F. Thompson, James A. Thompson, and John F. Wheeler. The above persons all request your clemency, on condition that they will not again violate the laws. They are all recommended by Mr. Trotter and Mr. Butler, to be respectable, honest citizens.

With regard to Mr. Butler, he authorizes us to state, that he could not take the oath of allegiance to the state, without perjuring himself, as he views the case—he cannot consent to a change of residence with his present feelings.

Mr. Worcester states, that he has taken the course he has pursued, from a firm conviction of duty—he had been disposed to submit, but would not have proceeded so far—he has applied to the supreme court, and expects to hear from his application.

Mr. Wheeler states that his family is within the chartered limits, and that he intends to return there, but will not subject himself to another arrest. Respectfully, your obedient servants,

BENJ. A. WHITE,
JAMES A. WAK,
TOMLINSON FORT. } Inspectors.

The convicts. The rev. Mr. Potter, a missionary to the Cherokees, who recently passed through this city, informs us that he saw Messrs. Worcester and Butler, a few days ago in the penitentiary at Milledgeville. He says they are cheerful and happy. This we expected. We have often read of others devoted to the same path, inspired by the same feelings, singing and rejoicing amidst the flames that devoured them. We are glad, however, to learn, that they are treated with even the respect due to citizens and clergymen. They were equipped in the coarse uniform of the prison, with the usual badges of criminals attached. One of them is employed in making bedstraws, and the other in turning a large wheel-grinding, like Samson, in his prison house.

Putting them to the hardest labor in the prison, accords with the instructions of gov. Gilmer, to inflict upon them the penalty of the law in its utmost severity. But it should be remembered that these subjects of Egyptian oppression have been mostly accustomed to sedentary pursuits. Their minds, it is true, are trained to severe labor and strenuous exertion; but their bodies, and even the health of one of them, are at that very moment comparatively delicate and feeble. To the harshness of their treatment, under such circumstances, must be added the violent deprivation of their liberty; their confinement within the narrow limits, and foul, gloomy precincts of a prison; their being associated with thieves, robbers and murderers; and the wicked attempt to brand their memories forever with the name and infamy of criminal convicts. On this latter point, however, Georgia is mistaken. She has got in her own hands, to the hot end of the branding iron, and her mad cupid is inflicting on herself a mark of disgrace which will dishonor her name till the sun's self shall be blotted from the heavens. Already is public indignation stamping its ban upon her conduct; we had almost said, upon her forehead. [Washington Spectator.]

CENSUS OF 1830.

From the New York Observer.

Washington, Sep. 16, 1831. Editor—I have obtained from one of the principal clerks of the state department, a friend of mine, the following condensed account of the census, which, he says, in this complete form has not been published. The whole will not be finished till submitted to the next congress.

1830.	Free		Slaves.	Total.
	white	colored persons.		
Maine	398,410	1,207		399,618
New Hampshire	268,910	623		269,533
Vermont	219,704	885		220,589
Massachusetts	603,008	7,068		610,076
Connecticut	289,624	8,064	33	297,711
Rhode Island	93,631	3,865	14	97,510
New York	1,866,388	48,080	46	1,914,520
New Jersey	300,226	12,837	2,241	315,304
Pennsylvania	1,309,206	37,990	386	1,347,582
Delaware	87,605	13,829	3,305	101,739
Maryland	291,093	59,942	102,788	453,823
Virginia	694,430	47,103	469,734	1,211,266
North Carolina	478,433	19,873	246,362	718,470
South Carolina	357,678	7,915	318,063	683,656
Georgia	296,014	3,862	217,497	517,373
Alabama	100,171	1,341	117,494	209,006
Mississippi	20,618	829	65,659	136,706
Louisiana	89,407	16,753	109,631	215,791
Tennessee	537,990	4,313	142,379	684,682
Kentucky	318,078	4,816	165,339	488,233
Ohio	928,093	9,366		937,459
Indiana	396,014	3,662		400,676
Illinois	158,176	1,653	746	159,575
Missouri	114,552	646	24,966	140,164
Arkansas	35,667	138	4,878	36,683
Michigan	30,848	233	27	31,108
Florida	18,385	840	15,500	34,725
Columbia	27,636	6,163	6,080	39,879
Total	10,926,308	319,476	2,910,373	12,856,157

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 10—Vol. V.

BALTIMORE, NOV. 5, 1831.

[Vol. XLI. Whole No. 1,050]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

LETTER FROM THE EDITOR.

The convention adjourned *sine die* at 2 o'clock, P. M. on Tuesday last—but various circumstances will prevent my return home until after you will have been compelled to put this week's number of the REGISTER to press. The occupation of my time has been so close, that I have not had power to present even a slight sketch of our proceedings for the information of my readers. It may be generally observed, that about four hundred and fifty persons never before, perhaps, assembled in a more united and better spirit to support a cause of vital interest, (as we believe that it is), to all the American people,—or separated, after a week's severe attention to business, with greater satisfaction to themselves—instantly pleased with one another. The moral effect of such an extensive association of intellect and respectability must needs be powerful.

The facts that will be presented to the public, in consequence of this convention, cannot fail to astonish those who have made the highest calculations on the progress and extent of the American System. Sanguine as I have long been, and sanguine as many have thought me,—my expectations were far short of the realities about to be distinctly made known, through the permanent committee, founded on the reports of the very important and numerous committees of the convention, and other sources of authentic information,—for means have been, or will be, adopted, to collect a body of statistical facts immensely important to the people, and absolutely necessary to a discreet national legislation.

The address to the people of the United States was presented on Monday, by Mr. Ingersoll, of Pennsylvania, and the reading of it by him occupied nearly two hours. The hall was filled to overflowing—and yet the most profound attention was given during that long period, except when the reader was interrupted by the spontaneous cheers of the audience. Twenty thousand copies of this address were ordered to be printed at Baltimore, under the supervision of Mr. Kennedy.

This splendid and masterly production, I understand to be the joint work of Mr. Ingersoll, of Pennsylvania, Mr. Kennedy, of Maryland, and Mr. Dutton of Massachusetts; and many good judges regard it as the ablest paper ever presented on a like occasion. Without any direct reference to the address of the "Free Trade Convention," it tears its arguments into tatters, and scatters them to the winds of the heavens; and, while it is generally beautiful, and often sublime, there is a plain practicality about it that will carry its matter to the home and heart of every friend of the free industry of the American nation; and I must think will bring many to a pause whose opinions seem to have been exclusively regulated by mistaken notions concerning slave labor. Some of these will believe that the "American System" as fully embraces their interest as that of any other class of persons in this community. As the address originated at New York, it is ordered that it shall be first published in that city, though to be printed in Baltimore. It will probably be laid before the public about the middle of next week.

I have not an opportunity to say much more. As the time of adjournment approached, the feelings of the members of the convention seemed to be greatly excited—and many new friendships formed, were promised a lasting duration. No small degree of gravity prevailed—but it was generous and kind, built upon the universal belief that a great public good would result from the proceedings just about to be concluded. Then came the brief, but appropriate and excellent address of the president, to whom the thanks of the convention had been voted, and we were dismissed with a most feeling and eloquent appeal to the AUTHOR OF ALL GOOD by the rev. Mr. Schroeder, formerly of Baltimore, all which will appear in the journals.

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But I must stop. Particulars shall be given hereafter. I wish you to publish the list of the members according to the copy sent herewith. Though much care has been exerted to render it entirely correct, I fear that it is not so; but errors in the list, or otherwise, will, I hope, be excused by my indulgent friends—because of the peculiar and anxious and busy situation in which I have been placed, and from which I am not even yet relieved.

Philadelphia, Nov. 3, 1831.

MR. CALBURN. In accordance with the plan of publishing both sides of a question, we give place to the reply of this gentleman, to that part of major Eaton's appeal which related to him, and in order that a full view of the ground may be presented, we have appended the note of Mr. Evans, the brother-in-law of the latter gentleman.

BALTIMORE AND OHIO RAIL ROAD. In another part of this week's impression the reports of the president and chief engineer of the Baltimore and Ohio rail road company will be found.

Too much praise cannot be awarded to the president, directors and officers of the company for the intelligence and zeal with which they have prosecuted their arduous labors.

The subjoined paragraph, will shew the advance made in the completion of the road, since the date of these reports.

"We have the sincere satisfaction to state that the assurances given in the late annual report of the president and directors to the stockholders of the Baltimore and Ohio rail road, that the second and third divisions of the road would be opened for use by the first of November, have been realised.

"In a letter which we have seen from a gentleman who performed the trip, dated the 30th instant, he says the "Pioneer car" passed yesterday (Saturday) morning on the line as far as to the foot of the inclined plane, No. 1, at Parr Ridge, being a distance of forty miles from Baltimore.

"The fourth division of the road, which extends to the Monocacy, as well as the inclined planes over the Parr ridge, and the lateral road to Frederick, are in such a state of forwardness as to leave no doubt that the entire route to Frederick will be opened within the month of November.

"The graduation of the fifth division, extending from the Monocacy river to the Potomac, is nearly completed, except at a single point of about 2 or 300 yards, which will soon be graduated, and the travelling on the road will, without any doubt, be established to the Potomac river within a few weeks." [Baltimore Gaz.

FOREIGN NEWS.

Arrivals at New York and Philadelphia, bring Dundee advices to the 24th September.

POLAND AND RUSSIA.

As we had been reluctantly induced to believe, by the former advices, Warsaw, the capital of Poland has fallen. It capitulated on the 7th September, at 6 o'clock, P. M. after a most sanguinary conflict of two days duration, during which the Russians carried, by assault, all the entrenchments designed to protect the city. The Polish army followed by the diet and the members of the government, retired through Praga on the night of the 7th, and early on the ensuing day the Russian army entered, maintaining perfect order, and respecting both person and property. The Poles were retiring upon Modlin and Plock, where it is said they will make an effort to maintain themselves. How far they will be able to realise such expectation, remains for time to unveil; but the hope of successful resistance, after such a blow

as the fall of their capital, will prove illusory—it is a most fearful blow, and we fear will prove fatal to their cause.

On the 5th of September, the Russian commander in chief, Paskewitch, sent a confidential officer to Warsaw, to demand the submission of the city and consequent surrender, promising, in the name of his majesty, amnesty and pardon. This proposition was indignantly rejected by the brave Poles, and on the 6th, at day break, the Russians marched to the assault, made themselves masters of four redoubts which lay upon the line of attack, as well as the first line of entrenchments which surround Warsaw, and of which Wola is a perfect fortress. The task did not however end with the carrying of these; there remained a second line of entrenchments, and a broad moat around the city defended by bastions. On the 24th day of the assault, count Paskewitch received a concussion from a cannon ball, which struck his left arm in the first quarter of an hour of the combat, he retired from the field of battle, leaving the command to general Toll. After the entrenchments and outworks were carried by the Russians, the Poles retired into the city, whereupon the former occupied the ramparts and erected batteries for 80 pieces of cannon to operate against Warsaw, should it still hold out.

In the course of the night general Kruchowiecki sent a flag of truce, informing the Russian commander in chief that the diet had dissolved itself, and that he as dictator, governed alone. At day break orders were issued to the Russian army to cease hostilities, as the capital and country had submitted to the emperor. The Russian account states that the dictator caused a report of the Polish army to be delivered to the field marshal, and that the intention of their marching on Plozsk, is, to await the pleasure of the emperor. The loss of the Russians is supposed to be between four and five thousand.

The sensation produced in London by the receipt of this unwelcome news, was great, and heavy censures were cast on the government, for gaily witnessing the sacrifice of this brave and generous people; but in Paris it had produced a state of intense feeling, amounting to phrenzy—a phrenzy said to be equal to that excited by the publication of the Polignac ordinances.—The Parisians view it as a national calamity—as a national disgrace of which each individual must bear his share. The majority of the shops were shut—public business in some degree suspended, the ministers insulted, laughed at, threatened, and laughed in effigy—crowds thronged the streets with crape hat and arm bands; some pillaging gun makers' shops, others busy in listening to the ardent appeals of the newspapers—the theatres were closed—the black flag hoisted in some of the streets—the drum beating hourly to arms—the Marseillaise is publicly sung in the palais royal—the troops of the line are in motion—and to sum up all—the ministry had been twice defeated on points which it had strongly at heart. M. Casimir Prier, and Sebastiani had had a narrow escape for their lives.

FRANCE.

The peerage bill was progressing slowly. France has threatened Spain, in case that government interlopes in the approaching contest between Don Miguel and Don Pedro, that a French army will cross the Pyrenees. The French army was still in Belgium, its withdrawal is, however, stated as fixed upon.

ENGLAND.

The passage of the reform bill was considered certain in both houses of parliament. The death of the mother of Lord Wellington is announced in the London papers. The secretary for foreign affairs had held a council with the ministers of France, Russia and Prussia. Washington Irvine, our charge d'affaires had presented Mr. Van Buren to viscount Palmerston. A part of the jewels of the princess of Orange, had been seized by the police of Liverpool—they were found in possession of the man and woman who left New York some weeks since, on the arrest of Carrara. The lot seized is supposed to be worth £20,000. The parties are to be sent to Brussels for trial.

BELGIUM.

The kings of Belgium and Holland have agreed upon a cessation of hostilities for six weeks. In the mean

time, the former is organizing an army of 75,000 men and a park of artillery of 100 pieces, so as to be able to resist another invasion should the king of Holland attempt it.

TURKEY.

An attempt had been discovered, it is said, by the French government to induce the Porte to declare war against Russia—the plan failed owing to the interference of sir Robert Gordon.

MADEIRA.

A revolt had taken place in the island of Madeira, in favor of Donna Maria—it had, however, been quelled. The governor of Madeira had imprisoned the consul of England, for having circulated the news which gave rise to the insurrection. He was imprisoned in his own house, which was surrounded by a strong guard of soldiers, who deny all ingress and egress. The consul is to remain in custody until orders are received from Lisbon.

MR. CALHOUN'S REPLY TO MAJOR EATON.

From the *Pendleton Messenger*.

Major Eaton has, in his late address gratuitously dragged my name into his controversy with a part of his associates in the late administration. The station which he recently occupied, and the relation in which he is well known to stand to the head of the executive branch of the government, are calculated to give more weight to his representations, at least with many, than what belongs to the anonymous communications of the day; yet I would not have deemed his statement worthy of my notice, had he confined himself to the vague insinuations, which constitute the great body of his address, as far as it relates to me. To give color to his general charges, he has resorted, in a few instances, to descent into detail, and to give statements of facts, but in a manner wholly erroneous; which, however, might be received by the public as true, were I to remain silent. They have, in fact, been already so received in some respectable quarters. I am thus compelled, in self defence, to correct the errors of his statements as far as they concern me. The occurrences which are the subject of his address, are of a character to render me solicitous, that the part I took in relation to them, should be presented in the light which truth and justice require. The memory of them will probably outlive the present day; and a decent regard for the opinions of those who are to succeed us, naturally makes me desirous that I should not seem to have any other connection with events, little calculated to do credit to the history of the day, than what I in reality had.

It is impossible to doubt that the main drift of major Eaton's address is to hold me up as the real author of all the discord which is alleged to have prevailed in the late cabinet, and to which he endeavors to trace its dissolution, and which, he would have the public believe, originated in a loss and misdirection of my agency, on my part, in relation to the succession to the presidential chair.

With this view, and in order to give a political aspect to the refusal of Mrs. Calhoun to visit Mrs. Eaton, he states that she and myself called in the first instance on him and Mrs. Eaton, during their absence at Philadelphia; intending it to be inferred, that his declining intercourse afterwards, we were actuated by political motives, and not by considerations connected with duty. Unhappily for major Eaton, his statement is not correct. Mrs. Calhoun never called on Mrs. Eaton at the time he states, nor at any other time before, or since, nor did she ever leave her card for her, nor authorize any one to do so; and she is entirely ignorant through what channel, or by what agency, her card could come into his and Mrs. E.'s possession; to which I add, that it was not done through my agency, or with my consent or knowledge. If major Eaton had reflected, he would have seen that there must have been, to say the least, an imposition somewhere. He states, that our visit took place while they were in Philadelphia, and, of course, preceded their call, which, as he represents, took place after their return, and which, he must know, according to the usage that governs intercourse at the place, could not occur. The senators and their families invariably make the first call on the vice president and his family; and in conformity with this rule, major Eaton had called on me, on my arrival at Washington, before his marriage, which I afterwards returned; and, not finding him at home, left my card. This was, probably, while he was absent at Philadelphia, and was the only intercourse I had with him, as far as I can recollect, during the whole session, except what took place in the senate chamber, or when we casually met at parties.

This is not the first time, that Mrs. Calhoun has contradicted the statement that she had visited Mrs. Eaton. It was reported at the time, that she had visited Mrs. Eaton, and that her card had been left. She then, on all suitable occasions, contradicted it, as directly and pointedly as she now does, and in particular to two respectable ladies from Tennessee (sisters of members), who then resided in an adjoining boarding house.

The erroneous statement of major E. compels me to give a correct version of what actually occurred; but which I never intended to intrude on the public, and now state, with great reluctance, even in self defence. When he and Mrs. Eaton made their visit, I was not at home, as he states, and did not return till after they had retired. When I returned, Mrs. Calhoun mentioned they had been there, and said she would not have

known who Mrs. Eaton was, had she not been with Mr. Eaton, as the servant had not announced their names. She of course treated them with civility. She could not with propriety, do otherwise. The relation which Mrs. Eaton bore to the society of Washington, became the subject of some general remarks. The next morning she informed me, that she had made up her mind to return her visit. She said that she could not do so in the light of a stranger in the place; that she knew nothing of Mrs. Eaton, or the truth, or falsehood of the imputation on her character; and that she conceived it to be the duty of Mrs. Eaton, if innocent, to open her intercourse with the ladies who resided in the place, and also had the best means of forming a correct opinion of her character, and not with those who, like herself, had no means of forming a correct judgment. I argued, that I approved of her decision, though I saw the difficulties in which it would probably involve me; but that I viewed the question involved, as paramount to all political considerations, and was prepared to meet the consequences, as to myself, be they what they might.

So far from political considerations having any influence in the course adopted, could they have been permitted to have any weight in the question, the very reverse course would have been pursued. The road to favor and patronage lay directly before me, could I have been less enough to tread it. The intimate relation between general Jackson and major Eaton was well known, as well as the interest that the former took in Mrs. Eaton's case; but, as dignified as I would have felt myself, had I sought patronage in that direction, I could not have engaged in it. I had already adopted the course we did from any other motive, than a high and a sacred regard to duty. It was not in fact, a question of the exclusion of one already admitted into society, but the admission of one already excluded. Before the warlike, while she was Mrs. Timberlake, she had not been admitted into the society of Washington; and the real question was, whether her marriage with general Eaton, should give her already excluded on that; or, in other words, whether official rank and patronage should, or should not, prove paramount to that exclusion, which the sex exerts over itself; and on which, all must acknowledge, the purity and dignity of the female character mainly depend. Had the case been different had a scheme been formed to exclude Mrs. Eaton with political views, and to be maintained, the fully could have been repelled only by its profligacy. Happily for our country, this important citizenship is too high and too pure to be influenced by any political considerations whatever. It is equally beyond the scope of power, or influence, to exclude the virtuous and unsuspected female from society, as experience has found it to raise the suspected to that station. This point may now be considered settled, and it is for the public should pay the most grateful attention to that has been achieved, in favor of the morals of the country, by the high moral independence and virtue of the ladies of Washington, to be out by personal and false representation of the real question at issue.

With the same view, and not much less erroneously, major Eaton has given a statement of my application to him in favor of a friend in the place of chief clerk of the department. He has so drawn up my statement, as to make an impression, that I suspended all official intercourse with him, because he refused to comply with my application. The latter is altogether false. It is true, that at the request of my friend, who was also a warm and devoted friend of general Jackson, and had suffered from his attachment to me, I did present his name to major Eaton; and that I had no intention to interfere with him in that respect, but a very different reason from that he alleges for a reason which every individual, who has even a moderate share of self-respect, must deem amply sufficient, as a brief statement of the facts will prove. The application was made, not at the early period he states; (which was necessary to make the impression he intends), when it was known he was to be appointed secretary of war, but after he was appointed, and took possession of his office; and it is material, long after Mrs. Calhoun had declined to return Mrs. Eaton's visit. I called at his office a day or two before I left the city; I informed him that I called at the request of my friend, simply to state my impression of his qualification and not to urge his claim. After I had stated my impression in my friend's favor, he told me he was well satisfied with his qualifications; but that he had offered the place to another gentleman, whom he named, but informing me, at the same time, that if he should decline, my friend would receive the appointment. I remarked, that the person to whom he had offered the place was perfectly qualified, and that I could not say a word to weaken his claim. Besides his qualifications, his relation with me was at least as intimate and friendly, as his whose name I had presented; and as between them it could not possibly be a serious question, that the former was selected; which, all would admit, will admit, when I say the gentleman selected was col. Gadsden. The next day I received a letter from gov. Hamilton, then a member of congress, to whom maj. Eaton alludes as my friend, stating that he had made application to maj. Eaton in favor of the person for whom I had applied, with the favorable result of his application. On the strength of this, as well as his promise to me, I wrote to my friend, requesting gov. Hamilton's letter, and informed him he might call on the appointment with confidence: as I felt almost certain that col. Gadsden would decline the office. He did decline; but, contrary to promise, another person was appointed, without giving me any explanation, then, or since. It was this breach of promise, remaining still unexplained, which intervened a barrier on my part to further official intercourse between us; and not as major Eaton represents, the mere refusal to grant the appointment, which I could never have had the least effect with me. If there should be any doubt as to the promise, or the time of the application, the letter of governor Hamilton to

me, and mine to my friend, both of which I suppose to be in existence, will establish the correctness of my statement.

But it seems that I am to be held responsible for the supposed friends of the late cabinet and its dissolution, because, as maj. Eaton states, an ardent friend of the vice president said in 1829, that maj. Eaton is not the friend of Mr. Calhoun. It would have been much more satisfactory, if maj. Eaton had given the name of this supposed friend, with the time, place, and circumstances, not only to enable him to give his statement of the occurrence, but to afford me an opportunity of judging how far I ought to be responsible. It would have been both to him and me an act of simple justice, which, as far as I am concerned, would have been particularly desirable, as I must object to the competency of that person as an accuser, if he is not, in fact, one of those who are not my friends. They appear particularly liable to error on this point. But a short time since it was gravely charged, in an almost official quarter, that my friend had a meeting to expel him from the cabinet, when it turned out, on further disclosures, that they were all gentlemen from the western states, (I name, Kentucky, and Louisiana, and devoted friends to gen. Jackson, actuated solely by a regard for the interests and honor of his administration, a step, of the existence of which I was ignorant till after the meeting, and of the particulars, till disclosed by the recent publications. If to this I add maj. Eaton's own liability to fall into error in determining who are, or are not, my political friends, as disclosed in his late address, it will not, I am sure, be thought unreasonable, that I should object to his competency to make any statement, if it is necessary to hold me responsible for scenes, the odium of which he shows uncommon anxiety to shift to the shoulders of others, he errs, on that point, in relation to two of his late associates in the administration. If, in his anxiety to implicate me, he mistakes the political relations between Mr. Branch and Mr. Brien, and myself, gentlemen of whose sentiments one would suppose he could not be ignorant, I may reasonably suppose that he is equally mistaken in the case under consideration.

The inference he would draw from gen. Green's course, in relation to myself, can scarcely deserve more than a passing notice. Gen. Green's course has been of his own choosing, without any attempt on my part to influence him. Such an attempt would, indeed, if it was to be permitted, be equally as much to be held up and by base and selfish views, how could I influence him? I had nothing to give, where he had much to lose. On the contrary supposition, that he was governed by a sense of truth and justice, an attempt to influence him was unnecessary. My course, I trust afforded ample motives of that description. If it could, it would have been in vain in me, on the supposition of his loyalty, to have attempted to obtain his support; as it clearly would have been, on the opposite, to have obtained it at all. As I have been compelled to speak of gen. Green, it is due, in justice to him to say, that I believe gen. Jackson had no friend more zealous and honest in his cause. When very may be his personal feelings, I know from his own declarations, that he was very and deeply enlisted in favor of his reelection. His own exertions to influence him in that direction, as I believe late views of public policy shows, he has never changed his opinion, many causes may be found, in what has since transpired, without attributing it to any imaginary influence over him, on my part, when it must be apparent to all, with the whole power and patronage of the government against me, I had nothing through which to exercise it.

Having corrected the errors of major Eaton's statements and in relation to myself, he has drawn out into particular, a body of reasons, which he has endeavored to present, as a basis, remains to reply his general charges and insinuations, which I did by a direct and positive contradiction. It is not true, that I attempted to exercise any control in the formation of the late cabinet, or to influence its patronage, or that I made any attempt to embarrass the administration in the senate, or elsewhere, or am any way responsible for the dissolution of the late cabinet; unless, indeed, the refusal of Mr. Calhoun to visit Mrs. Eaton on grounds exclusively connected with the dignity and purity of her sex, or the vindication of my character against an unprovoked and unfounded attack, should be considered sufficient to render me responsible. These are my only offences. In truth, the reverse of all of these general charges and insinuations is true. Gen. Jackson never consulted me, as to the formation of his cabinet. He never consulted me, as to the formation of his administration, or as to the policy which he has since pursued. As he did not consult me, I had too much self-respect and regard for the dignity of the office I held, to intrude my advice; while the disinclination of my particular friends freed me from all solicitude on the score of patronage. As a body, they met; they sought no reward office. The most prominent of them, and who had taken the most decided and efficient part in favor of general Jackson's election, had openly avowed their determination not to take office. In supporting him, they were actuated by far different, and much more elevated motives, than the low and sordid ambition that looks to power and patronage. Their object was to maintain principles which they believed to be essential to the liberty and happiness of the country, to restore the administration of the general government to the true principles of the constitution, and to arrest that course of events which was rapidly bringing the great lot rest of the country into the most dangerous a whirl; and so much higher did they hold these considerations, than the elevation of any man to power, that, as is well known, pending the election, whilst zealously supporting general Jackson, they refused to advance his interests by the least abatement of their principles. Nor is the charge of embarrassing the administration less remote from truth. I was most anxious for the success of general Jackson's administration; and though I saw much I could not approve, yet I continued to give him my support, whatever I possibly could, consistently with duty,

That such was my course, I appeal with confidence to all who were intimate with me, to the members of the body over which I preside, and especially to the two senators from Tennessee, both devoted friends of general Jackson, both men of great sagacity, and both having ample opportunities of forming a correct opinion of my course. In fact, every consideration, public and private, of honor, duty, and interest, led me to desire the success of general Jackson's administration. I had contributed all in my power to the success of his election, and felt, to the full, the obligation which it imposed.

It is with pain that I have forced myself to touch on the prominent subject of this communication. The question involved in Mrs. Eaton's relation to the society of Washington belonged, I conceived, exclusively to her sex, and could not be involved in political considerations, or drawn into public discussion, without painful consequences. I acted on these views in my correspondence with gen. Jackson. I could not be ignorant of the use made of it by those, who, by their artful machinations, have placed gen. Jackson and myself in our present relation; but the desire to do nothing on my part that could tend to draw the question from the tribunal to which it properly and exclusively belonged, restrained me from making the least allusion to it in the correspondence, though calculated to throw light on the controversy between us and to strengthen me in the conflict.

J. C. CALHOUN.

Letter from the rev. F. S. Evans.

Mr. Blair:

Sir:—As it is fully in my power to substantiate the statement of Mr. Eaton, relative to Mr. and Mrs. Calhoun's calling upon Mr. and Mrs. Eaton, I herewith furnish you with the facts as they occurred. Mr. Eaton was married on Thursday the 1st of January. On Monday the 5th, Mr. Calhoun's carriage drove up to the door of Mr. O'Neal, and enquiry was made for Mr. and Mrs. Eaton, on being told that they had gone to Philadelphia, Mr. and Mrs. Calhoun's cards were handed to the servant, who brought them in and gave them to my wife. Those with many others left during their absence, were handed to Mr. and Mrs. Eaton on their return.

F. S. EVANS.

October 29, 1831.

TARIFF CONVENTION.

The delegates from the various states to attend the convention of agriculturists, mechanics, manufacturers and others favorable to the protection of the national industry, assembled in the city of New York on Wednesday morning the 26th of October, 1831, at 10 o'clock.

On motion of col. Murray, of New York, gen. Talmadge was called to the chair, and Mr. Niles, of Baltimore, on like motion, chosen secretary.

The convention being thus temporarily organized, Mr. Shaw of Massachusetts then moved, that the chair nominate a committee of three from each state represented in this convention, to report the mode and manner of conducting the business of the convention.

At the request of the chair, the delegates from the several states presented the names of such persons in their respective delegations, as they would recommend to compose said committee.

The chair then announced that thirteen states were represented; and subsequently added that a delegate was also in attendance from the District of Columbia.

The following persons were nominated for said committee.

From Maine—Jos. Wingate, Isaac Halsey, Jos. Chaf. New Hampshire—Samuel Grant, John Williams, John B. Wheeler.

Vermont—Heman Allen, Martin Chittenden, Charles Paine.

Connecticut—Calvin Goddard, S. B. Sherwood, Samuel D. Hubbard.

Rhode Island—Chas. Eldridge, Nathan F. Dixon, Z. Allen.

Massachusetts—Robert G. Shaw, Samuel Hoar, A. H. Everett.

New York—P. H. Schenck, Jesse Buel, G. Tibbetts.

New Jersey—J. Hornblower, John N. Simpson, S. Swain.

Delaware—E. J. Dupont, John Gordon, P. Ringgold.

Maryland—Thomas Ellicott, Hez. Niles, John Bryan.

Pennsylvania—B. W. Richards, Walter Forman, J. Roberts.

Ohio—George Endley, Holland Greene.

District of Columbia—Peter Force.

Virginia—William Lambdin John McLure.

The committee retired, and the clerk proceeded with the call of the members, which was continued until the

return of the said committee. Whereupon the call was suspended, and

On motion of Mr. Dwight, the nomination of the committee was unanimously approved.

Mr. Dwight moved that the committee of three from each state be authorised, in addition to other duties, to nominate candidates to fill the several offices of the convention—carried.

The chair announced, that a list of the delegates from New Hampshire, with their places of residence, had been presented to him, and the other states were requested to hand in theirs in like manner.

Mr. Carey, of Pennsylvania, moved that the secretary have printed for the use of the members, a list of the delegates with their places of residence; and that such list, as members arrive, be enlarged from time to time.

The secretary, then proceeded to call off the names of the members appointed, in order that those in attendance might answer, stating their place of residence.

At 1 o'clock the calling of the delegates was suspended for the purpose of hearing the report of the committee of organization: Whereupon, the chairman reported that the committee recommended the appointment of a president, four vice presidents and four secretaries, and that the following persons be nominated.

WILLIAM WILKINS, of Penn. president.

JOSEPH KENT, Maryland,

JAMES TALLEMADGE, New York, } vice-presi-

GEORGE BLAKE, Massachusetts, } dents.

LEWIS CONDUCT, New Jersey,

HENRIAN NILES, Maryland,

ROBERT TILLOTSON, N. York,

JOSHUA W. PEIRCE, N. Hampshire, } secre-

CHARLES PAINE, Vermont. } taries.

All of whom were unanimously agreed upon.

On the election of the president, the chair nominated Jonathan Roberts of Pennsylvania, and Benjamin W. Crowninshield, of Massachusetts to conduct the president to the chair; who made a very short but appropriate address to the convention.

On motion of Mr. Crowninshield, of Massachusetts, it was directed that until otherwise ordered, the convention meet at 10 o'clock, A. M.

Mr. Austin, of Massachusetts, said he was about to submit to the consideration of the convention, a resolution, previous to which he would make some general remarks on the subject. Mr. Austin proceeded to make a strong and powerful appeal to the assembled delegates. He said that the American System was national in its character—that this body had met to congratulate each other on the present prosperous and successful situation of our country, growing out of that system, and not to groan or repine over misfortunes and disappointments which it had tended to produce. That the free trade party had said all that could be said in favor of their own system; and that if it exhibited imbecility it was owing to an innate weakness, and not to the want of talent in defence. That free trade never did, nor never could exist. It was like freedom from public war—freedom from ill, &c. all desirable objects; but never to be obtained until the accomplishment of the millennium. That measures for the protection of our manufacturing establishments was as necessary now, as they were to our commerce. But, said he, we are told that this protection is unconstitutional. Is it unconstitutional in its abstract? We have been taught that those who framed our constitution, were the wise, the great, the good, and the patriotic. Is it possible that such men in framing the constitution, could have abandoned the right or power to protect the home industry of our country? The right, said he, by the constitution to regulate commerce, is absolute, unlimited, and unqualified. Where do the advocates of free trade, find the authority, or right to interpolate the constitution, or to limit or restrict the power conferred, in relation to the levying of duties.

The constitution, said Mr. Austin, grew out of the necessity of giving protection to American industry. A wide field in our commercial operations, was occupied by foreign nations. The American ship builder and ship owner required protection. One of the first acts of the government was to afford protection. The manufacture

of ships was fostered, protected and secured. This was done by laying a discriminating duty between American and foreign vessels. It was this act that secured to us our extensive coasting trade. It was this act which precludes the employment of any but an American ship or vessel in the trade. It was this protection which has given us the glory of our marine. This protection, the American ship manufacturer is a part of our system and we will not surrender our share of the glory arising from that protection to any free trade advocate.

Our other manufacturers required a like protection. If refused, they will be underworked by the half starved miserable laborer of foreign countries. We are not to place our population in comparison with the English and Asiatic laborer, who work 16 or 18 hours a day. They cannot and will not be degraded to a level with such men.

After some further remarks, Mr. Austin moved, that a committee of — members be appointed to consider and report what business may come before this convention, and in what order it shall be arranged.

On motion of Mr. Dwight, the resolution was so amended as to refer the subject to the committee already appointed.

On motion, it was ordered, that the mayor, recorder, aldermen, and assistant aldermen, of New York, be invited to take seats on the floor—that one of the galleries be prepared, appropriated exclusively for the accommodation of the ladies—and that the president be authorized to admit such persons within the bar, as he may think entitled to such attention: and then the convention adjourned until 4 o'clock P. M.

Four o'clock P. M. The convention met.

Mr. Woodward, of New York, moved a resolution, to admit editors of papers within the bar, which was afterwards substituted by one in more detail by Mr. Buckingham, of Massachusetts, which being accepted by the mover, was assented to.

It was then determined to continue calling the roll.

Mr. Johnson, of Maryland, proposed that a committee of three be appointed by the chair to report rules and regulations for the government of the convention, which motion was laid on the table, on the suggestion that the committee of organization would probably have the subject under consideration, and report in the morning.

Mr. Brown, of Pennsylvania, stated that a convention had recently been held in Philadelphia, by persons interested in the manufacture of iron; that the states of Pennsylvania, New Jersey, New York, Rhode Island, and Maryland, were represented by delegates in that convention, and that it had been deemed expedient to adjourn to this city, for the purpose of conference and intercourse, with the present general convention; he therefore, moved,

That such of them as were not already members be requested to take seats on the floor, as additional delegates from their respective states.

Mr. Paine objected, and wished the resolution, for the present, to lie on the table. After some few observations, from different gentlemen, pro and con, the resolution passed almost unanimously.

Convention adjourned until 10 o'clock, to-morrow morning.

Thursday morning, October 27.

The convention met at 10 o'clock, when the minutes of yesterday were read.

The committee of organization report, That committees be appointed to prepare and report memorials on the following subjects:

1st. To prepare an address to the people of the United States, affirming the constitutionality and expediency of the tariff laws, respecting the interests of the agriculture, commerce, and manufactures of the nation—carried.

2d. To inquire into and report any evasions of the tariff laws—carried.

3d. A memorial to congress enforcing the propriety of continuing the protection to articles of home manufacture, whatever may be done in regard to foreign products—carried.

4th. To inquire into and report upon the effects of the existing tariff laws upon the agriculture, commerce, mechanic arts and foreign trade of the country—carried.

It was then ordered, that the committee under the first resolution, consist of one member from each state—that that under the second resolution, consist of seven members, and that the committees under the third and fourth resolutions, consist of one member from each state.

Mr. Johnson, of Maryland, called up his resolution of yesterday evening, for appointing a committee of three to draft rules for the government of the convention—but it was ultimately lost, it being considered that as the meeting of the committee was so short, such formality was not necessary. Points of order were, therefore left to the chair.

Mr. Everett, of Massachusetts, moved that the committees created this morning, be appointed by the chair, which being carried, the convention adjourned until 4 o'clock this afternoon.

Four o'clock, P. M. The convention met.

The chair announced that it had appointed the committees under the 1st, 3d, and 4th resolutions passed this morning, and that they consisted of

1st resolution—Committee to prepare an address to the people. Messrs. Moses Emory, of Maine, Saml. Grant, of New Hampshire, Herman Allen, of Vermont, Warren Dutton, of Massachusetts, Samuel D. Hubbard, of Connecticut, Nathan F. Dixon, of Rhode Island, Daniel Kellogg, of New York, Joseph C. Hornblower, of New Jersey, Charles J. Ingersoll, of Pennsylvania, Andrew Gray, of Delaware, John P. Kennedy, of Maryland, John McLeure, of Virginia, George Endly, of Ohio, and Peter Force, of the District of Columbia.

3rd resolution—Committee to prepare a memorial to congress. Messrs. Joshua Wingate, of Maine, Robert Rice, of New Hampshire, Mark Richards, of Vermont, Alexander H. Everett, of Massachusetts, Benjamin Cozzens, of Rhode Island, Samuel B. Sherwood, of Connecticut, Jesse Hall, of New York, John S. Darsey, of New Jersey, Joseph Hemphill, of Pennsylvania, E. J. Dupont, of Delaware, Luke Tiernan, of Maryland, William Lambdin, of Virginia, and Holland Green, of Ohio.

4th resolution—Committee to report on the effects of the existing tariff. Messrs. Josiah Calc, of Maine, Floyd W. Wells, of New Hampshire, C. F. Hammond, of Vermont, Henry Shaw, of Massachusetts, James D'Wolf, of Rhode Island, William C. Gilman, of Connecticut, C. A. Davis, of New York, Samuel G. Wright, of New Jersey, Robert T. Stewart, of Pennsylvania, Andrew Gray, of Delaware, Thomas Elliott, of Maryland, John McLeure, of Virginia, and Holland Green, of Ohio.

The president stated that the committee had been arranged geographically: he not intending to designate the chairman leaving each committee to make its own selection.

Mr. Brown, of Pa. offered a resolution instructing the committee appointed to prepare an address to the people, to represent a clear and comprehensive view of the tariff, or American System, shewing that it is constitutional and a part of the plan of our government, &c. Mr. B. enforced the propriety of his resolution at some length. He shewed by documents in his possession that the system of protecting the home industry of the country was a part of the revolutionary plan of our government—referred to the articles of the old confederation to shew that the several states had the right to regulate trade; that it was objectionable on that account, New Jersey contending that that right should be exercised by the general government—that this difficulty was obviated by the present constitution which contains the power, and that the system had been sustained by the people for half a century.

Mr. Sharpe was opposed to the resolution. He thought the gentleman should have waited for the report of the committee, and if that was not satisfactory, he should have moved an amendment. He was opposed to instructing the committee; he hoped the proposition would be withdrawn, and moved that it lie on the table—which motion was lost.

The resolution was then amended and agreed to.

The committee on organization, made a further report, in part—They recommend the appointment of committees to consider and report on the following subjects:

1st. Upon the production and manufacture of iron.
2nd. Upon the growth and manufacture of wool.
3rd. Upon the growth and manufacture of cotton.
4th. On cash duties.
5th. On the culture and growth of silk, hemp, and other agricultural articles used in the manufactures of our country.

6th. A committee to devise ways and means to defray the expenses of the convention.

The chair then announced the names of the following: *Committee upon exactions of the revenue.* Mr. Brown, chairman of this committee, Messrs. Brown, of Mass., Scheuck, of New York, Allen, of Rhode Island, Barr, of Maryland, H. Reeves, of Pennsylvania, Wain, of do. Ellsworth, of New York.

Mr. McCulloh, of Maryland, moved that the general committees have permission to sit during the business hours of the convention.

Mr. Lynch proposed to divide the resolution in relation to wool; in such manner that there should be a committee on the growth, and another on the manufacture of wool—carried. And each committee ordered to consist of fifteen members.

The committee on iron and cotton were each ordered to consist of fifteen members.

Mr. Lynch moved to divide the committee on cotton, as in the case of wool.

Mr. McCulloh was opposed to the proposition. He said the new species of cotton, from which hankins could be advantageously manufactured, promised to become a great object, as such hankins might be substituted for those of China. He thought it probable that much valuable information might be obtained on this subject, from the manufacturers of the article; and this information being communicated to our brethren of the south, would reach them, for practical purposes, much earlier than it could through any private channel.

Mr. Lynch explained his views. He thought it would be better to keep the enquiry, as to the growth and as to the manufacture, separate and distinct.

Mr. McCulloh contended that these enquiries were so intimately connected, that more useful information would be obtained by keeping them united, than by a separation, and therefore could not consent to the proposed amendment. If these enquiries should elicit any material fact, the communication of which would be beneficial to the people of the south, that result would be well calculated to conciliate them. He hoped the amendment would not prevail. The question on the amendment was put and lost, and then the original resolution passed.

The fourth resolution was adopted, and the committee ordered to consist of seven members.

The fifth resolution passed, and the committee ordered to consist of fifteen members.

The sixth resolution passed, and the committee ordered to consist of one member from each state.

Mr. Carey moved, That a committee be appointed on the production and manufacture of leather, and such other manufactures as are not embraced in the previous resolution.

Mr. McCulloh wished the article of leather kept separate from all other articles, as it was one of vast magnitude. He had occasion, recently, to make some inquiries into the subject, and he found that it was estimated in Maryland alone, at one million three hundred thousand dollars annually. We have (said he) almost taught ourselves to believe that the manufacture of leather was of no importance; because those concerned in it were not grouped together in large massy buildings. I should like that great body of men who minister to our daily wants and necessities, to feel and to know that they are supported and maintained by the American System.

The proposition to confine the inquiries of the committee to leather only was carried; and the committee ordered to consist of one member from each state.

Mr. Bitterell, of Pennsylvania, moved a committee on the production of lead, and the articles, in the manufacture of which it was a component part.

Mr. Simpson proposed to add copper. After some desultory remarks, separate committees were ordered, each to consist of three members.

Mr. Bruen, of New Jersey, proposed a committee on the manufacture of salt.

Mr. Breck, of Pennsylvania, thought the convention ought not to descend to all these details. He said the committees already appointed would be sufficient to embrace all the items, and therefore moved the reconsideration of the two last resolutions on lead and copper.

Mr. Roberts said it was not necessary to reconsider. Any new subjects to which the attention of the convention might be called, could be referred to some committee previously appointed.

The resolution, in its original form was carried, and the committee ordered to consist of three.

Mr. Tyson moved a committee, on the state of Chemistry, as connected with manufactures and the arts in the United States.—Carried. The committee to consist of five.

Mr. Crolius moved a committee on the manufacture of hats. He proceeded to point out the propriety of his motion; and remarked, that the time was, when we could not wear a hat without a British crown in it, one of that description he had accidentally seen this day, and he presumed it belonged to a member of the convention.

Mr. McCulloh was favorable to separate and distinct committees on all these subjects. They would illicit information. Give the people (said he) facts. Give them light. By doing so, you will ask them to think, and thinking, you may safely trust their judgment. We are convened at a period that will be an era in the history of our country. The sages and patriots of our revolution feared to be subjects, but dared to be citizens. They, indeed, made sacrifices and endured sufferings. But what have we, or do we suffer? Let us, at least, make the trifling sacrifice of time, in examining the matters that properly come before us, and not return home, after making a few formal reports, without being able to explain to those who sent us here, the grounds upon which we have acted. Let us, then enter into details; they will enable our rulers to legislate wisely.

The resolution was carried, and a committee of seven added.

Mr. Cox, of Pennsylvania, proposed a committee on the production, manufacture, and consumption of sugar in the United States. He remarked, that last year we had produced ninety millions of pounds, and that within five years we should raise a quantity equal to our consumption. The resolution passed.

And then the convention adjourned until to-morrow morning, at 10 o'clock.

Friday, October 28.

The convention met at 10 o'clock. The proceedings of yesterday being read, the chair announced the appointment of the following committees:

On salt.—Messrs. Brewer, of New Jersey, Stewart, of Pennsylvania, Kellogg, of New York.

On hats and cabinet furniture.—Messrs. Crolius of New York, Darrach of Pennsylvania, McKee of Pennsylvania, Rogers of Maryland, Randall of Connecticut, Rankin of N. Jersey, Knowler of New York, Dunn of Pennsylvania, Williams of Maryland, Loril of New Hampshire, Cross of New Jersey, Baylies of Mass.

On expenses of the convention.—Messrs. Wingate of Maine, N. Gilman of New Hampshire, Chittenden, Vermont, Crowninshield, Mass. C. E. Robbins, Rhode Island, Bosman, Connecticut, Smith, New York, Jackson, New Jersey, Hupfinger, Pennsylvania, Kennedy, Delaware, Kelat, Maryland, McClure, Virginia, Endly, Ohio.

On cash payment of duties.—Messrs. Bunker of Pennsylvania, Evans of Maryland, A. Lawrence of Mass. Breck of Pennsylvania, Z. Allen of Rhode Island, D. D. Broadhead of Massachusetts, Paine of New York.

On lead.—Messrs. Wetherell of Pennsylvania, Phelps of New York, Brackenridge of Pennsylvania.

On sugar.—Messrs. Cox of Pennsylvania, Biddle of Penn. Taylor of Maryland, Herttelt of New York, White of Mass.

On iron and steel.—Messrs. Dunlop of Pennsylvania, M. Richards of do. Valentine of do. Jones of do. Hal-

deman of do. Stewart of do. Kien of do. Kenney of N. Jersey, Richards of do. Leach of Massachusetts, Chas. H. Hammond of Vermont, Townsend of New York, Newall of R. Island, Boyle of Maryland, E. T. Elliott of do. Holly of Connecticut, J. R. Coates of Pennsylvania.

On motion, the subject of the preparation of molasses, was added to the duties confided to the committee on sugar.

On motion, it was ordered, that the committee on iron report, also, on the manufacture of steel.

On motion, Mr. Cox of Pennsylvania, was added to the committee on iron and steel.

A member from Somerset, N. J. moved, that a committee be appointed on the manufacture of various kinds of cutlery in the U. S.

This department of industry, he said, deserved particular attention. As had been remarked on hats and leather, it entered into general use and was essential to the comfort of every individual. It was incumbent on us to do something which would efficiently advance the interests of our cause. He lived in a part of the country where reports, in general terms, would not be understood by one in a hundred, whereas, if we spoke to them of particular things, in plain terms, their interests and our object would be secured. The resolution was agreed to and the subject referred to the committee on iron.

Mr. R. Swartwout held a resolution in his hand, which he should offer after the other was disposed of,—the object of which was to propose that the members of the convention, at their respective homes, should prepare and forward to the secretary of the convention, Mr. Niles, statements of the condition of every branch of manufacture in their vicinity. He submitted it for consideration, and it was laid on the table.

Mr. Smith of New Jersey, moved that a committee be appointed to prepare a statement of the duties on exports from the U. States, into the ports of Great Britain, Russia, Holland and Belgium, and also the duties on similar articles imported from these countries into the United States.

Mr. Cox said the information was embraced in the report from the treasury department of 1828.

Mr. Carey stated that the report of 1828 embraced only the tariff of England, France, Russia and Naples, and that the tariff of England had since been modified.

The resolution was agreed to, and a committee of three ordered to be appointed under it.

Mr. Saunders of New York, moved, that a committee be appointed to prepare and report what bounty ought to be paid for the culture and production of articles intended for the use of manufacturers.

The mover said indigo, wool, and other articles could and would be produced in abundance under a bounty.

Mr. Barker, of Penn. was opposed to the proposition. He doubted the constitutionality of the measure.

Mr. McCulloch advocated in strong terms its adoption. He said the government had the power, and ought to exercise it, of raising the way and means to grant bounties; and he referred to the opinion of Mr. Madison, Mr. Hamilton, &c. in support of the assertion. He contended, that such bounties would produce, in great abundance, indigo, the almond, the mulberry, the olive, and water rotted hemp and flax, &c.

Mr. Saunders said we ought to encourage the culture of such articles as might be raised in the south with facility. He said that in two years the British nation could supply themselves with cotton, to such an extent, that not one pound, except Sea Island, would be required from the United States.

Mr. Paine moved to lay the resolution on the table. He was fearful we would be involved in constitutional difficulties.

Mr. Carey said, the constitutional question could be settled in a moment. Early bounties had been granted to foster the fisheries.

This resolution was laid on the table in order to give time to gentlemen to examine the question.

A motion was made and laid on the table to recommend to congress the establishment of a home department.

A resolution was referred to the committee on internal trade, to examine into the coasting trade of the U. States, and how far the protection of American manufactures have tended to improve that trade.

The chair reported, as members of the committee on copper.

Messrs. Simpson, of New York, McKim, of Maryland, Crocker, of Massachusetts, and Binney, of Mass.

It was then ordered to refer the resolution on cutlery, to the committee on iron.

Mr. Leach, of Mass. was added to the above committee.

Mr. Myrick was added to the committee on copper.

Mr. Hopkins offered three resolutions; the substance of which were—

1. That a committee prepare and report the value of each class of American manufactures produced in the United States, with or without machinery, and which are now exported, and the amount exported.

2. What articles, after the payment of the national debt, may be safely prohibited from importation.

3. Upon the culture of the vine, and the manufacture of wines from the grape.

Laid on the table.

Mr. Beech moved, that the convention recommend to our friends in the south, south-western, and western states, to assemble in convention, and to express to congress their sentiments on the important subjects, which engage the attention of this body.

The proceedings of the tariff meeting in Cumberland county, Ohio, was read.

Mr. Williams, of New York, moved that a committee be appointed to prepare and report on the moral influence of manufacturers in the United States.

After some desultory conversation, the subject was referred to the committee appointed to prepare an address to the people of the United States.

Mr. Dwight moved that the members of the convention be requested, as early as possible, to give the several committees all the information they possess on the several subjects referred to them.

Mr. Carey moved that a committee be appointed to enquire into the foundation of the charge against the protecting system, of encouraging smuggling. Laid on the table.

Mr. Inlet, from the committee on the arrangement of business, reported as follows:

That a permanent committee of correspondence and statistics be appointed (to communicate with the several state committees hereafter to be provided for) whose duty it shall be to collect and disseminate information, from time to time, and as soon as convenient, in relation to the statistics of the United States, concerning agriculture, manufactures and the mechanic arts, as combined with, or united to, the internal and external commerce and navigation of our country—showing as far as possible, the general effects of the protecting system on its population and prosperity; the number of persons employed in the several branches of industry, (designating the sexes and ages) with the average or aggregate of the wages earned and the value of the commodities produced by them—the amount of capital variously invested or employed, and the bearings of the several great branches of productive labor upon one another.

That the aforesaid permanent committee shall appoint (with the approbation of the convention), the several state committees as they think most expedient, and generally arrange the matters submitted to them, that the objects of this convention may be accomplished.

That a committee be appointed to report upon the currency of the country, as affecting or affected by the protecting system.

That a committee be appointed to collect and publish information on the culture of madder, wool and weld, and other vegetable dyes, used in our manufactures.

And that all reports made to the government, shall be delivered to the central committee; and also, that all reports of committees of the convention not prepared in seasons to be presented at this time, shall be sent to the central committee, to be collected, revised, and published by them at their discretion.

Ordered, That the central committee consist of seven; the committee on currency, of five; the committee on vegetable dyes, of three.

All of which propositions were agreed to.

And the convention adjourned until to-morrow morning at eleven o'clock.

Saturday, October 29.

The convention met at 11 o'clock, A. M.

Mr. *Ingersoll*, of Pennsylvania, stated, as the organ of the committee to prepare an address to the people of the United States, that the committee would be prepared to make their report on Monday morning at nine o'clock.

Mr. *Everett*, as chairman of the committee appointed to prepare a memorial to congress, reported, in part, that as the basis of this memorial will be founded on the general reports which will be made to this convention, by three different committees, it is deemed inexpedient to prepare a memorial, until after the rising of this convention.

Mr. *Cox* moved that the report be accepted, and that the committee be authorized and requested to prepare and produce such a memorial to congress.

Mr. *Roberts* said it would be a subject of regret that such a convention as the present should adjourn without an opportunity of affixing their signatures to something like a memorial to congress. He contended that the power proposed to be delegated was of a delicate nature. He, however, had no proposition to offer.

Mr. *Woodward* was opposed to characterizing this convention, which was strictly national, by committees. Such committees might be operated upon by local circumstances. He wished the convention to settle the principles and then delegate the power to draft a memorial.

Mr. *Everett* said the general scope of the memorial is to be found in the resolution appointing the committee. The committee wished to obtain certain facts which they would use in the memorial, and which would be derived from the labor of the general committees. It was also supposed that the contemplated paper would be in part an answer to the Philadelphia memorial, which was to be presented to congress and which was not yet made public.

Mr. *Roberts* contended that the facts alluded to by the gentleman, (Mr. *Everett*), were not necessary to be introduced into the memorial, which should be brief. The facts might be, and ought to be prepared and placed in form for the use of congress. He therefore moved to recommit the report, with instructions to prepare and lay before this convention the draft of a memorial.

Mr. *Haugh* of Pennsylvania moved to lay the whole subject on the table.

Mr. *Crowninshield* hoped the subject would not lie on the table. It would open a field for unnecessary discussion.

Mr. *Waugh* withdrew his proposition.

Mr. *Forward* of Pennsylvania, did not attach weight to names as he did to the arguments, and he was therefore in favor of granting the committee time to collect the necessary facts.

Mr. *Everett*, with perfect deference to the worthy gentleman who moved the re-commitment, would suggest to him that the report already made was considered by the committee to be in conformity to the directions of the general committee.

As a member of the committee on business, he would say that it was his understanding; and as he believed, it was the general understanding that the memorial was to be prepared after the rising of the convention; that it was to embrace facts to be collected from the various reports made to the convention from other committees; and that it was to furnish a reply to the arguments which might be urged in the "free trade" memorial.

Mr. *Waugh*, of Pennsylvania, was opposed to delegating to this committee the power of drafting a memorial, until after the facts and arguments it was to contain was to be decided upon by this convention. Such memorial might contain statements and opinions that would conflict with the expectations of his constituents.

Mr. *Woodward* hoped the assembly would do nothing to mar its own dignity with the people. Its source

was primary—the body itself was primary; all its acts should be original, and conclusive. He held it to be second in character only to that congregation of patriots who signed the Declaration of Independence. Suppose that body had delegated its powers to a committee, where would this nation and its liberties have been? We should have been the humble minions of England. Let the convention act as became republicans, fresh from the purest fountain on earth, the primary assemblies of the people. Mr. *W.* stated that he had himself drawn all the memorials, (but one), which had gone to congress from this city on the subject of protection; and he had thought it respectful to the high organ of the nation not to prescribe to it in detail, but to convey in general propositions the cardinal principles held and urged by the memorialists. He was not for a microscopic dissection of the subjects to be handled; there were hundreds competent to that task. What he wished was to have the dignity of this body preserved, and its leading sentiments stricken out with a bold hand. He thought the convention would lose in the eye of the nation by consenting to delegate its powers. Let them reverebrate the report upon the committee, and wait for a memorial, breathing the spirit of national independence and of national economy.

Mr. *Richards*, of Pennsylvania, was favorable to granting the time required by the report of the committee.

Mr. *Sharpe* wished a re-commitment of the report, with instructions.

Mr. *Everett*, in reply said, the gentleman proposed to defer the preparation of the memorial till the other reports from which its facts were to be collected were made, that is, to the last hour of the session. It was morally impossible for the committee to perform the duty without some interval of time. He also repeated the fact that the paper was intended to be an answer to another which was not yet in existence. The address to the people would express the opinions of the convention, and would be authenticated with the names of all present; but the memorial to congress was intended to subserve another purpose.

Mr. *Roberts* said this was a subject on which gentlemen could differ with perfect deference to the opinions of each other; but he must repeat that the purpose of answering the free trade memorial was not contemplated by the committee. We were not to proceed, in this business, in a lawyer-like way, by reply, rejoinder, rebuttal and un rebuttal. We wish to make a declaration of our views in reference to the anticipated revision of the tariff. We wished merely to state the principle on which we wished that revision to be made when it is made. Such a memorial was not an ordinary species of manufacture. Its importance was not to be estimated by broad measure. It was not to be got up in counting houses, schools or other places of less repute. It was to be an expression of the wishes and opinions of an assembly representing more than half the states. It was a document which could not be imitated nor counterfeited, and there could be no substitute for it. The members of this body, one and all, would, with enthusiasm, place their signatures to it.

Mr. *Goddard*, of Connecticut, would place his signature to the paper with as much enthusiasm as the gentleman from Pennsylvania; but he wished the paper to do honor to the convention. A very able committee had been charged with the preparation of a memorial to congress on behalf of the friends of "free trade;" and our memorial, he hoped, would transcend it in the manner of its execution as much as it would in the merits of its cause. If gentlemen would wait here till it could be framed, he would not say that he would leave them; but he believed they would have to send to many and distant parts of the United States to procure the signatures of the members now here. What was the committee to say on all the topics which are now in the hands of committees of fifteen? Were they to frame a memorial without reference to those topics? They could doubtless easily draft a memorial. So could the gentleman behind me, (Mr. *Woodward*), who has drawn so many of them; and he would furnish a very good one; but he would prefer to give the committee time and ma-

terials for preparing a document which would do signal honor to the convention and service to its cause. If tears were entertained that the committee would transcend its power let them be specially instructed. If it was feared they would propose alterations in the tariff, let them be instructed on this point. He, himself, reposed confidence in the committee, and believed they would do nothing in opposition to the general instructions of the convention.

The question was here loudly called for.

Mr. Woodward. The gentleman who just sat down, was, I believe, deputed as the bearer of the memorial of the Hartford convention to Washington. [Here Mr. W. was interrupted by a general and simultaneous burst of indignation from all parts of the house. He attempted several times to proceed, but there was a continual hissing, and being called to order severally by the chair, he took his seat; the house, as with one accord, manifesting their most decided censure of his conduct.]

Mr. Goldard. Will the chair excuse me. Several gentlemen said, "not a word." The chair said, as the personal remarks of the member had been arrested, a reply to them was unnecessary.

Mr. Woodward rose again to speak, but was put down, the convention refusing to hear a word from him.

Mr. Roberts' motion to re-commit was put and lost.

Mr. Roberts begged the indulgence of the meeting. He spoke against the impolicy of referring this subject to a committee scattered over the union; that it was too indirect a way to attain our object. We ought to be frank, nothing was lost by being so. We ought not to devolve on a committee what we ought to do ourselves. That congress would be governed more by the character of the body from which the memorial issued, than by the arguments employed in it. This was not the time for elaborate arguments.

Col. Murray proposed that the committee present to the convention on Monday, a paper containing the principles which they intended to embrace in their memorial.

Mr. Everett objected to this course, in as much as the nature of the duty of the committee was prescribed in the resolution creating it. This motion was laid on the table.

Some further remarks being made by Messrs. Cox and Roberts,

Mr. Dunlop, of Pennsylvania, said the people of the United States expected that the memorial would be drafted with great care. A memorial which will meet their expectations cannot be drafted in 48 hours. My venerable colleague says, that congress would not read our paper, if ever so fine and flourishing. But it was not congress we intended, but the people; they would read it, if congress did not. He wished to have a report which would do honor to the convention, and put down those miscreants—not our southern opponents—but the British serpents who are endeavoring to strangle our national energies while in their cradle. He wished facts to be collected and laid before the people, that they might see the immensity of their resources. This convention had no conception of the energies of the nation, if protected. What member knew that, in one establishment in Connecticut, one hundred thousand axes were yearly made. Another factory with which he was acquainted used a hundred tons of steel in a year. Himself, though a small man, make thirty or forty thousand dollars worth a year of edge-tools. I have the marks of the hammer on my hand, and am proud of them; I have put down entirely the British article of hatchets. I put two thousand dozen of hatchets into the market this year, in the face of British competition, and without the protection of a duty; for the treasury department held that hatchets were not axes, and as hatchets were not named in the tariff, they were not liable to a specific duty. But I can prove that the British can't touch me with a hatchet. Are the public aware of the fact that the rolling mills of Pittsburgh alone can roll out as much iron as would supply all England and America both? They could each roll forty tons a day; that sum multiplied by three hundred, and the product by eight, the number of the mills, gives you a million of tons of iron which they can roll in a year, in Great Britain only half a million a year was rolled; all such facts as these

should go to the people, and they could not all be crammed into a paper not bigger than his hand. It was easy to prepare a general memorial; his venerable colleague could do it very well; but we wanted no abstract propositions; we wanted facts, as Solomon says wisely, "can any man write a little book." Those who would undertake to write on this subject, would find the volume swell fast in their hands. We had laid down the principles of the memorial in the resolution, and he would trust the committee to keep within them.

Mr. Roberts did not see how the remarks of the gentleman last up bore upon the subject; though they were calculated to entertain an assembly whose attention was not seriously engaged. There was another saying of as high authority as Solomon's, which the gentleman would find more applicable to the subject, "Oh that mine enemy had written a book." Books were two-edged swords; they might be made to cut both ways. He was willing to *show hands* with the gentleman. He had never followed any other occupation than that of a mechanic and farmer; and to this day, he supported, by his own labor, a large and young family. The gentleman does me the honor to say that I can draw a general report; yea, sir, and a special one too, if need be.

Mr. McCulloh was in favor of having a concise memorial, setting forth the plain principles, and bearing the signatures of the members. This would distinctly pledge each and every member of the convention to the principle of protection. This, he believed, would meet the object of the venerable gentleman from Pennsylvania. The sole objection of those who opposed the report he understood to be that the memorial would want the authority of the signatures of the members. He could easily imagine that a document, thus authenticated, would have great weight with congress, especially if unanimously approved by us. Thus the question would be settled, that we unanimously sustain the principles of the tariff and are opposed to any alteration of it, conflicting with protection. After this was done, the report embracing detailed facts, could be improved and printed at leisure.

Col. Dwight concurred in the views of the gentleman from Maryland, and with regret differed from the venerable member from Pennsylvania. We had come together to get information, which we could get in no other way; not to make fine speeches—though we see that we can have sharp arguments as well as sharp edged tools, and both from the same source, (alluding to Mr. Dunlop). This convention, he considered as the most important assembly which had met since that which met to frame the constitution. Its object was to protect ourselves from the operation of a system established in other countries for the purpose of enervating the labor of this country. Mr. Brougham had well said that every axe put in motion in America, put in motion a wheel in England. But the axe was put in motion for the benefit of England alone, if also refused to admit into her markets the produce of our farms. If our corn cannot go to that country, it is our duty to exclude the products of their workshops from a competition with those of our own. He wished that every gentleman who could work as well and speak as well as the member from Pennsylvania, (Mr. Dunlop), would address the convention, and communicate to us the information in his possession as to the state of our industry. He admired the sinewy style of his remarks, and was still more gratified with the facts which he advanced. He trusted the convention would present to congress a full view of the products of the industry of this country; and they would feel the force of our statements, if they did not read them.

Mr. Roberts, with a view to conciliation, withdrew his objections to the report, with the understanding that the course suggested by the member from Maryland, (Mr. McCulloh), should be pursued.

The question being then taken on the motion of Mr. Lyman, to accept the report and authorize the chairman to prepare and present a memorial to congress, it was decided in the affirmative, without division.

Committees appointed by the chair will be given to-morrow.

The chair, on announcing the central committee, asked whether it was the intention of the general commit-

tee that the central committee should consist of those residing in the vicinity of each other, in some of the cities, or whether they should be distributed throughout different parts of the country. This question gave rise to some conversation between Messrs. Roberts, Coxe, Niles, Wetherall and Goldford—and which issued in the nomination from the chair of the committee he had appointed—consisting of

Messrs. Niles, Cary, Dwight, Dupont, Hubbard and McCulloch.

Mr. *Clattenden*, from the committee on finance, made a report.

Mr. *Coxe*, from the committee on sugar and molasses, made a report which was read, laid on the table and ordered to be printed.

Mr. *McCulloch* offered a resolution, referring to a special committee the subject of anthracite coal, and the amount of tonnage employed in its transportation.—Laid on the table.

On motion of Mr. *McCulloch*, the resolution offered on Thursday by Mr. *Swartwout*, was ordered to be referred to the committee of three from each state, with directions to report on such subjects enumerated in that resolve as had not already been submitted to other committees.

The convention then adjourned, to meet in the afternoon at 4 o'clock.

Four o'clock, P. M. The convention met.

The chairman of the committee on chemicals, reported that the great extent and diversity of their inquiry would prevent the committee from discharging the duty devolved on them during the session of the convention; that certain subjects had been prescribed to the several members of the committee, and that the result of their labors would be transmitted to the chairman, and by him be laid before the central committee.—The report was laid on the table.

Mr. *Morris*, of Pa. after consulting with some of his friends thought it proper, that the convention should now fix a limit to the duration of their session, and offered the following resolution:

Resolved, That the convention adjourn *sine die*, on Monday next, in the afternoon.

On motion of Mr. *Stevens*, the resolution was laid on the table.

On motion, Messrs. Thompson and McIlvaine were added to the committee on the growth of wool.

Mr. *Forward*, of Pa. submitted the following resolution:

Resolved, That it be recommended to the friends of American industry to form associations in their respective districts, for the purpose of collecting such statistical facts as tend to illustrate the benefits of the American System.

Mr. *Forward* said a crisis had arrived in our history: that unless the attention of the people could be drawn to this subject, the whole system of protection would speedily be subverted; our enemies were all active and their interests united in opposition to us. Two interests of this description ever separated by jealousy were now united and moving in rapid array against our protective system; and how long was it, sir, when the southern agricultural interest was hostile to the northern navigating interest? Now they were united, and making movements which, unless counteracted by efforts on our part, must destroy our system. Although the country was so prosperous, yet the same arguments were urged against the tariff. The same opposition was made now which was commenced fifteen years ago. *Theoretical* ruin and bankruptcy were still held up, notwithstanding our prosperity. The people were tempted with the prospect of low prices. He wished to see facts collected and inquiries instituted which would satisfy the people on this subject. The "free trade" gentlemen assured us that the self-fixed prices; but the fact was, prices were regulated by causes independent both of buyer and seller. The amount of cotton goods manufactured in this country, at present, is from thirty to thirty-five millions a year. Suppose the space occupied by these goods was opened to the fabrics of Great Britain. It was obvious the prices would not be lower. The American supply would be replaced by a supply from abroad, and the prices remain the same. All supposed that prices would

rise in consequence of an increase of duties; but in this the anticipations both of friends and enemies were disappointed, our markets were more abundantly supplied by the tariff. The markets had been glutted and their prices had declined. The effect had an obvious cause—a reduction in the price of foreign labor. The profits of manufacturing in England had been greatly reduced by the establishment of manufactures here; and this country had been more abundantly and cheaply supplied than before. Perhaps, therefore, prices were lower, at this time, in Great Britain than here; but the question was not what is the price in Great Britain, but what it would be if our market was thrown open to her. During the first rush of the flood, the prices would be lowered, and when the inundation had passed the prices would rise; and having got the command of the market, they would keep it.

It was demonstrable, in his opinion, that the repeal of the tariff would result in the great and permanent enhancement of prices. The effect of this system on agriculture was most flattering. In New England alone, as he had learned here, the importation of flour from the southern states, during the last year, exceeded a million of barrels. This single market of New England was, therefore, the best in the world for American flour. Suppose manufactures to be destroyed, this market would be cut off, and not one barrel would be added to the quantity of flour exported from the United States, nor could any one find out the spot where our exports have landed in consequence of our adoption of the tariff system? He wished that the people might be made acquainted with the facts showing the operation of the American System; and they would not be deceived by the representation that it obliged them to buy at high prices and sell at low prices. Before the establishment of the cotton manufacture here, the East India cottons were imported; none of the American cotton entered into the fabric of the cotton cloths which we imported.

Here Mr. *Forward* made some remarks on the absurdity of the constitutional objections urged against the north. It there was any faculty of beneficence in our government it was truly a subject of apprehension. The government may make war—eternal war—war of ambition and conquest. In mischief it was omnipotent. But in power to do good, it was according to the doctrines of our opponents, feeble. The same gentlemen opposed the exercise of any other beneficent power. They opposed any measure which was intended to bind together distinct parts of the union, by ties of commerce and intercourse. What would be the condition of the country if these doctrines were established? Are the millions multiplying on the Ohio and Mississippi afraid of a foreign invasion? Do they want the aid of a general government for their protection from foreign arms? They might say to the government, we owe no obligations to you; nothing for our soil, for that we paid you; and nothing for the air we breathe and the light that shines upon us. Was there nothing paternal and beneficent in the government? Was the American laborer to be told that he stood on the same footing, as to protection, with foreign laborers; that he was to be patronized in the same degree as the foreign operatives? The government then exacted from us our blood and our money in return for the mere permission to occupy the soil. He hoped the resolution would pass.

The question being taken on the resolution it was agreed to.

The committee on cash payment of duties on imports, reported, That the measure would, in their opinion, materially aid American industry; but as the high interests of commerce were peculiarly connected with the matter, they consider it expedient to postpone any measure on the subject, with a view to have in it the co-operation of the commercial community.

A motion was made to recommit the report.

Mr. *Woodward* attempted to speak, but was interrupted by a loud and general call for the question, and finally put down.

The question being taken on the motion to recommit, it was decided in the negative.

The question then being on the acceptance of the report, Mr. *Coxe* begged leave to say a word against the

report. The country was now full of capital, and the credit system was unnecessary. It was destructive of the interests of the manufacturers. A man would get a letter of introduction to some manufacturer in England, take goods to the amount of 50,000*l.* sterling, on credit—then get credit for duties here, and sell the goods at auction. There was nothing, he said, more injurious to American industry than the facility thus given to importations on credit. It rendered the tariff a nullity, so far as the interests of the manufacturers were concerned.

Mr. Richards moved that the report be laid on the table.

Col. Dwight begged that the convention would consider the interests of the American merchant as well as those of the manufacturer. The subject was of that importance that it would require our attention for months. He hoped it would be laid on the table.

Mr. Barker, of Pa., made some remarks in favor of the report; after which it was ordered to be laid on the table.

Mr. Lockwood, of New York, unlimited the following resolution, that a committee be appointed to report to the convention on what articles and to what extent the present duties could be reduced without prejudice to agriculture, or manufactures, and what would be the effect of the reduction on the revenue.

Mr. Cox said that a communication had been received by Mr. G. Stuart, his colleague, from Mr. Graham, giving a list of articles on which he proposed a reduction of duties.

Mr. Shaw thought the resolution might be productive of benefit if slightly modified, so as to require that the committee appointed under it should report to the central committee.

Mr. Lockwood had supposed, he said, that this subject was one of the great objects of the convention. If the inquiry had been prosecuted at first, a great part of the embarrassment experienced this morning would have been prevented. It cannot be supposed that public opinion will be satisfied unless we do, in some way or other, directly or indirectly, record an opinion on this subject. It would be no excuse for us to say that we had been so busy in discussing points of order here, that we had no time to consider the mode of reducing the tariff.

Mr. Dunlop said the duties of the convention were already so much perplexed, that it would require a southern constitutional lawyer to elucidate them. He could show that the question proposed in the resolution had already been submitted to the convention, in the second resolution of the general committee; after reading which, he said he would defy any gentleman not bred south of the Potomac, to show the difference between it and the resolution moved by the member from New York.

The resolution was laid on the table.

The convention then adjourned, to meet at nine o'clock on Monday morning.

Monday, October 31.

At half past 9 o'clock the convention was called to order, and the journal of Saturday having been read,

The chair requested that the members of the several delegations would enable the secretary to correct any errors which may have occurred in the list of delegates, and also to add to it the names of those (not present) who were appointed to attend the convention.

On motion, Messrs. Richards of Vermont, Kelsö of Maryland, and Wingate of Maine, were added to the committee on the growth and manufacture of wool.

On motion, Mr. Cox, of Pennsylvania, was added to the committee (No. 4) on the effects of the tariff.

Mr. Crosby, of Massachusetts, moved a reconsideration of the vote by which the resolution offered on Saturday, by the member from Pennsylvania, (Mr. Forward) was adopted.

Mr. Crosby said his object was so to amend that resolution so as to embrace within its scope an inquiry into the subject of commerce;—the resolution, as it stood, recommending associations for collecting information on the subject of agriculture and manufactures, exclusively. There were many who stood ready to cavil at all the doings of this convention. This resolution, as it stands,

may enable them to say that our system is hostile to commerce—but he wished to be able to follow them into their own camp.

The motion to reconsider was agreed to. Mr. Crosby then moved to insert the word commerce after the word agriculture; but, at the suggestion of a member, he varied his motion so as to charge the associations with the collection of such facts "as tend to illustrate the benefits of the American System."

Mr. Keener of Maryland, spoke in favor of the motion. He had prepared a similar one, which he had intended to offer. It was at variance with the third resolution reported by the business committee, which resolution restricted our enquiries to "articles not conflicting with American industry." This restriction we must remove, unless we wish to appear before the nation as advocates of exclusive and particular interests. He expressed his satisfaction that one member of the convention, (col. Dwight) had avowed that he considered commerce as going hand in hand with manufactures, and equally entitled with them to our support. It was necessary not only to say this, but to leave it on our records.

Mr. Austin suggested to his colleague (Mr. Crosby) that the inquiries of the associations should be limited to some precise subject. The treasury department, with means which no voluntary association can possess, year after year, laid before congress full commercial statements. He hoped the form of the resolution would not be varied.

Mr. Ellsworth, of Conn. stated for the information of the convention, that the friends of the American System in Connecticut were so much impressed with the expediency of forming the associations contemplated by the resolution, that they had already taken measures to form them in that state.

The resolution was then put and lost.

Mr. Keener, in reply to the suggestions of the member from Boston, (Mr. Austin), said, if we wished to carry force with our proceedings, we must carry nothing with them which is forbidding. All he asked, was, that we should not bar the way to our influence by exciting prejudices against our system.

Col. Murray, rose to express his wish that the resolution might be so amended as to extend to agriculture, commerce, manufacturing and the mechanic arts. The gentleman from Maryland was gratified to find that there was one member in the convention friendly to commerce. He hoped there were many such. He could answer for the New York delegation that they were advocates of the commercial interests as well as of the interests of manufactures. Commerce, sir, is the tree in which our eagle builds her nest, and we are her nestlings. He could not sit down under the imputation implied in the remark of the gentleman from Maryland. The tariff he supported, because he believed it to be one of the best supports of commerce. It was well known that the want of a permanent tariff was one of the greatest evils to which our commerce was exposed. A vacillating and continually fluctuating tariff, discouraged and disappointed the merchant. It might undergo a change between the commencement and the completion of a single voyage.

Mr. Crosby accepted the modification proposed by the member from New York, and the resolution was amended so as to embrace "agriculture, commerce, manufactures, and the mechanic arts;" and, as thus amended, was adopted.

Mr. Keener now moved a reconsideration of the 3rd resolution reported from the general committee; his object being to amend it, so as to strike out the words "not conflicting with that industry." The motion was put and lost.

Mr. Ingersoll, of Philadelphia, chairman of the committee appointed to prepare an address to the people of the United States, communicated the address, which he read from the secretary's table. The reading occupied two hours.

The reading of the address was suspended, while ex-president Adams, was conducted to a seat in the convention, by general Tallmadge. The convention rose, and received him with long, continued and hearty applause.

Mr. *Hemphill*, of Pennsylvania, moved that the report be accepted, and that 20,000 copies be printed for the use of the convention.

Mr. *Core*, though he much admired the report, thought it expedient to lay it on the table, that some little inadvertencies which had escaped its authors might be corrected. He moved that it lay on the table, and that 500 copies be printed for the present.

Mr. *McCulloh* hoped the motion would not prevail. He thought it more proper that it should be printed under the direction of the committee from which it was reported, and by whom any corrections, which might be necessary, would be made.

Mr. *Ingersoll* said it was his intention, at a proper time, to move that the address be printed by our friend, Mr. *Niles*, of Baltimore, and under the direction of Mr. *Kennedy*, of Baltimore, who had been the most important contributor to the report.

Mr. *McCulloh* said that there were some allusions in the report which had better be omitted. He referred to the remark that "no enlightened mind could tolerate" certain errors. Such errors had been tolerated by men of the highest intelligence and purest patriotism. He also objected to the allusion to "convulsions of nature." The late anti-tariff convention, as he hoped and believed, met with the most patriotic motives. When public feeling becomes too warm, it is best that those men whose influence, in a great measure, can control it, take the subject into their own hands. He did not regard the convention, which sat at Philadelphia, as a subject of reproach.

Mr. *Ingersoll* begged leave to interrupt the gentleman with a suggestion which would save the trouble of any further argument on the subject. There was not, in the whole paper, the most distant allusion to the convention which met at Philadelphia; there was nothing in the paper which could bear such a construction. It was not in the power of man to suspect, from any phrase contained in it, the most distant allusion to that subject. He was behind no man in respect for the individuals composing that body; many of whom were his intimate and highly valued friends. He was the last man in the world who would be likely to say, write or imagine any thing disrespectful or unkind in regard to the Philadelphia convention.

After a few words from Mr. *Paine* and Mr. *Roberts*, the motion to print 20,000 copies under the direction of the committee was agreed to.

Mr. *D'Wolf*, of R. I. from the committee on the effects of the tariff, on agriculture, commerce, manufactures, internal trade and the mechanic arts, submitted a report, which was read and laid on the table.

Mr. *Wilkinson*, of New York, moved that the secretary of the convention be requested to affix to the address to the people, the name and residence of every member of the convention, present or absent, who should by letter, post paid to the secretary, express his wish to that effect.

Mr. *Roberts* hoped it would not be considered an intrusion, if he once more made a feeble attempt to get something indicative of the views and principles of this convention, within so small a compass, that it would go into every village sheet in the union. The address reported, able, luminous, and cheering as it was, was too voluminous for this purpose. Twenty thousand copies would go but a little way towards placing it before the people. 'Tis the weekly press at last upon which we must rely for spreading our views over those districts of the country where they are most needed. In large cities, and populous districts it was impossible that there was not already light enough. He remarked on the motion before us, that he could see no use in having the signatures of the members appended to the address. It could be as well authenticated by an enthusiastic and unanimous vote to accept it.

Mr. *Wilkinson* modified his motion so as to require the secretary to affix to the address, the names of all those members of the convention, who should not otherwise direct the secretary, and, as modified, the motion was agreed to.

On motion of Mr. *Williams*, of New York, it was resolved that it be recommended to the friends of Ameri-

can industry, in the northern, southern, western and north western states, to convene in the city of Cincinnati, on the 2d day of January next, for the purpose of concentrating and expressing their views on that subject.

Mr. *Robbins*, of Massachusetts, from the committee on the manufacture of wool, reported that it was impossible, during the session of the convention, to collect and embody in a report, all the information which it was desirable to have, and that the committee asked leave to report to the central committee. The report was accepted.

Messrs. *Kennedy* of Baltimore, *Allen* of R. I., *H. W. Evans* and *Thomas Ellicott* of Baltimore, and Mr. *Merrick* of Philadelphia, were, on several motions, added to the central committee.

On motion of Mr. *Hemphill*, it was ordered, that the central committee depute some person or persons to attend the session of congress in support of the views of the convention in regard to American industry.

The committee on the product and manufacture of leather reported, that they had not been able to collect facts on which to predicate a report satisfactory to themselves or to the convention; and they, therefore, asked permission to report to the central committee. Report accepted.

Mr. *Prince*, of Albany, rose and said; as our sister states of the extreme south were not represented in this convention, and as he entertained the most exalted opinion of those in whose veins flow the blood of the greatest statesmen and purest patriots of our revolution, he was unwilling that the convention should adjourn without making some provision for their advantage. He would "set them to manufacturing—manufacturing slaves into freemen." But, as their property consisted partly in slaves, it was proper that they should be remunerated for them. We could do nothing better with the surplus of the revenue accruing from duties on imports than to appropriate it to the object of "manufacturing slaves into freemen;"—and to this end he submitted the following resolution:

Resolved, That congress be requested to appropriate a specific portion of the revenue arising from duties on imports to the purchase of slaves over five and under twelve years of age, for their education, and for setting them on the land of their fathers.

This resolution was received with such marked disapprobation, that, for some minutes, no one could be heard. Mr. *Ingersoll*, having succeeded in obtaining attention, said, he had no doubt the member moved this in a good spirit; but he assured him it was in vain and more than in vain. It would be impertinent and cruel in us to meddle with this affair, in which we had no interest, and by which we could be exposed to no peril. It was too, a most flagrant outrage on the constitution and on justice to take their own money to buy their slaves. We had ten thousand times better never have met here, than to meet to discuss or countenance such a project as this. He new the southern people, sires and sons, and was attached to many of them by the warmest ties of friendship; and he could assure the member, that his project, so far from bringing a benefit to them, would scatter firebrands along their borders.

[Several gentlemen attempted to speak in opposition to the resolution, but the call for the question became so general and decided, that the chair was about to put it, when]

Mr. *Prince* withdrew his resolution, protesting that he had not the least intention to imply any censure on the southern people for holding slaves; he did not blame them for the existence of slavery, but those who had introduced it. If there was any objection to the mode by which he had proposed to relieve the south from the evil, he would withdraw the proposition.

The convention then adjourned to meet at 4 o'clock in the afternoon.

Afternoon session.

General *Lynch*, of New York, in compliance with instructions from the delegation of the city of New York, begged leave to state, that several citizens of the city of New York were desirous, with the leave of the convention, to defray the expenses attending its sitting here, to the end that the entire fund already collected may be

appropriated to printing and other future expenses of the convention, at the discretion of the central committee; and he moved that permission be granted.

After some words from col. *Dwight*, expressive of the sense of the convention, in regard to the kind treatment they had received from the citizens of New York, gen. *Lynd's* motion for the permission required, was agreed to.

On motion, it was ordered—

That the thanks of the convention be presented to the New York delegation, and the citizens of New York, for the generous interest taken by them in the objects of the convention.

Mr. *Simpson*, of New York, from the committee on copper, reported that the short time allowed for obtaining the information was insufficient for that purpose, and that they had appointed a sub-committee to collect facts for a future report; that the whole quantity of copper imported was 800,000 lbs. that there was copper ore in Massachusetts, Maryland, New Jersey, Vermont, Connecticut, New Hampshire, and Maine, and that before many years our mines would furnish enough for the whole consumption of the country, and for exportation. The report was accepted.

Mr. *Ellicott*, from the committee on the currency, made a report in part, which was accepted.

Mr. *Cozzens*, of Rhode Island, offered a resolution, for recommending to the friends of protecting national industry, by law, to procure an expression of sentiment from their several state legislatures, in favor of the continuance of the same, and that each member of the convention render his aid to this end. The resolution was agreed to.

Mr. *Carey*, from the committee appointed to prepare a schedule of the rates of duties charged on our staples, when imported into certain foreign countries, and the duties on their staples when imported into this country, made a report, which was read and accepted.

The committee on the growth of wool, reported that they had taken measures to enable them to bring before the central committee full information on this subject; and that in their opinion, it is inexpedient at present to alter the tariff in regard to wool in any other way than to prevent the evasion of the law. The report was accepted, and on motion, Messrs. *Kryer*, of Md. and *Johnson*, of Md. were added to the committee.

Mr. *Dunlop*, from the committee on iron and steel, made a report on each branch, which being read,

Mr. *McCulloh* questioned the correctness of the statement in the report on steel that the materials for furnaces could not be obtained in this country; and he then made some statements on the subject, derived from Mr. Samuel Moore, of Baltimore. Being up, he would also mention that it was proposed in Baltimore that the delegation from that city should set on foot an inquiry into the amount and description of articles made in this city for home consumption and exportation. In Massachusetts a plan had been formed for obtaining similar information in that state. When this information as to the value which our labors added to materials was obtained, it would appear how vastly important they were to the support of our commerce. So far from being hostile to foreign trade, he wished to see this city surpass London in commercial grandeur. He wished to see our imports embrace all the luxuries of life and the raw materials for our manufactures, while our exports received the last touch of human skill. Why do they talk of the hostility of our system to commerce? Does not England command the exchanges of the world, through its water-power and fuel, and the industry and ingenuity of its mechanics?

Mr. *Dunlop* was under obligations to the gentleman for the interesting facts which he had mentioned. But his memory as to the report on steel, to which he referred, was not correct. The report stated that there was abundance of clay similar to the Stowbridge clay in Lyncoln county, Centre, Clearfield, and in Penn. As the gentleman who preceded him, had been suffered to wander from the question; and as this was the last time he should ever address so many of his fellow citizens, from so many sections of the country, he would allude to some intimations which had been thrown out in the newspapers of this city, in reference to opposition made

in the convention, to the acceptance of the report offered by the committee on the memorial to congress. He alluded to a newspaper published in this city, the very title of which, in his part of the country, was unknown. It was edited, he believed, by one Moses—he did not recollect the name—or Manassah, or Morlecai—or some such cabalistic name. It says, that "the eastern delegates had stolen a march on the Pennsylvania delegation." They had stolen no march upon us; but they had stolen our hearts. They had stolen many a march on their enemies, but it was the first time they had ever been accused of stealing a march on their friends. He spoke in the name of his delegation, when he said, that on all the leading principles which had come into discussion in the convention, the gentlemen from the east had cordially, firmly, and most efficiently united in supporting the views and interests of Pennsylvania. The intimation that the committee could not be trusted to frame the memorial, particularly that part relating to iron, was gratuitous and absurd. The interests of Massachusetts, in reference to the duty on iron, had become the same with that of Pennsylvania. In one iron establishment, owned by a single individual in Massachusetts, 3,000 individuals were employed. Their interests were our interests in reference to the protection of iron, salt, hemp, and other articles. He had opposed giving to the committee any written instructions, feeling the utmost confidence in their ability, discretion and fidelity to the cause. The same paper, sir, says that I am no statesman, because I am willing to trust my friends.

The report on iron and steel was accepted.

The committee on the culture of silk and hemp, reported that in consequence of the late day of their appointment, and the difficulty of procuring information, they asked leave to report to the central committee. The report was accepted, and Mr. *Prince*, of N. York, was added to the committee.

Mr. *Crofta*, from the committee on hats, made a report which was read and accepted.

Mr. *Everett*, of Mass. moved a vote of thanks to the New York delegation, for their kindness and liberality to the other delegates composing the convention; and in a few remarks with which he accompanied the motion, adverted with severity, to the attempt made by one of the public papers in this city, to misrepresent his course, and that of the committee on the memorial to congress, in such a manner as to excite jealousy on the part of the Pennsylvania delegation, and of the members from the eastern country.

Mr. *Goddard*, in seconding the motion, animadverted upon some unpleasant personalities which had been exhibited in the convention; but bore testimony to the general courtesy which had marked the deportment of all the members. The motion was agreed to.

A vote of thanks to the president of the convention, for the ability, impartiality and dignity with which he had administered the duties of the chair, was carried by acclamation.

Col. *Dwight* expressed it as his opinion that the convention ought this night to adjourn, *sine die*; all its objects which were now attainable, having been attained. But he made no motion to that effect.

Mr. *Ellsworth*, of Conn. moved a vote of thanks to the corporation of the city of N. York, for the accommodations which they had furnished to the convention; accompanying the motion with the following remarks:

Mr. President: The citizens of New York through their honorable delegation, have with a liberality, as generous as it was unexpected, offered to pay the expenses of the convention during its sittings. Though strangers, desirous of making compensation, we find ourselves among friends, whose kindness can only be remunerated, by the expression of our grateful acknowledgments. We have enjoyed the convenience of this spacious hall and the rooms adjoining, by the kindness of the honorable corporation of the city of New York—we cannot do less, and are not allowed to do more, than to tender them the assurance of the gratitude we feel for the favor they have conferred on us. Permit me therefore, Mr. President, to offer this resolution, which I trust will meet the entire approbation of this convention.

The motion was agreed to.

The convention then adjourned to meet to-morrow at 10 o'clock.

Tuesday morning, Nov. 1.

The convention met at 10 o'clock. A communication from a meeting in the county of Kanawha, Western Virginia, was read; also a communication from the Agricultural and Manufacturing society of Washington county, Pennsylvania.

Mr. Schenck, from the committee to inquire into any evasion of the revenue laws, reported in part, which was read. The report states that difficulties had arisen in obtaining direct evidence of the frauds, but notices many methods resorted to for fraudulent purposes, and requesting further time to report in full.

Mr. Core observed, that he had received a letter from Mr. Ingham, late secretary of the treasury, stating that the treasury was defrauded by means of the rate of exchange on England.

Mr. Ellsworth went into a statement of facts in relation to frauds practised in the importation of woolen goods, by false swearing at the custom house. The auction system was also spoken of by Mr. E. as a powerful engine by which such frauds were disguised and shielded from detection. The auction system forced into this country the refuse stocks of every market in the world. The collector of this port has hitherto been unable to perform his duty, on account of a public sentiment against scrutiny; but within the last six months a more correct feeling had prevailed, and frauds had been discovered within that, the duty on which would amount to very nearly eight thousand dollars. He spoke of a case tried in Philadelphia, in which the deposition of a clerk in England had influenced the opinion of the jury. Enough of such dispositions, he said, might be obtained in England, to load a cart, for expense a-piece. An old importer told Mr. E., that on a visit to England, he was urged by the manufacturers to buy goods worth nine and ten shillings per yard, and have them invoiced at 6s 8d. He expressed surprise at the offer; but the manufacturers said, they were doing it for his neighbors every day. This individual had declared, that if this system went on much longer, he must decline business.

Mr. Ellsworth concluded his remarks by presenting to the convention, for the acceptance of each member, a pamphlet containing some flagrant cases of violation of the revenue laws in the importation of woollens.

After further debate, the report and resolution were accepted.

A report by Mr. Brice, chairman of the delegation from Kanawha, in Virginia, on the manufacture of salt, was presented and referred to the central committee.

Mr. Crolius made a report on cabinet wares, which was read and accepted.

Mr. Sayre, of New York offered a resolution, which was unanimously adopted, that before this convention finally adjourn, the president be requested to invite some clergyman to return thanks to Almighty God for

his bounties to this land, and to implore the continuation thereof.

Mr. Roberts, of Pa. presented a resolution authorizing the central committee to call a meeting of the friends of the American System in the year 1832, if they deem it expedient, at such time and place as they may see fit. Agreed to.

Mr. Sibley, of Mass. after having made some preliminary remarks, in which he stated that attempts had been made to sow discord among the members of various sections, and of various party sentiments, offered a preamble and resolution setting forth that the convention met with one object, and acted with one object; and that they viewed with contempt the efforts to produce discord. This resolution was seconded and supported by Mr. Everett, and adopted.

It was moved that the thanks of the convention be presented to MATHEW CAREY, esq. for his early, zealous and able efforts to create, diversity, and promote objects of American industry.

Col. Dwight said this was the best reward he could receive for his labors; and it was the only reward he sought. He believed it would be awarded to him spontaneously.

The motion was agreed to unanimously.

On motion of Mr. Paine it was resolved, that the thanks of the convention be voted to HEBERTIAN NILES, esq. for his long, able and invincible efforts in the cause of his country, especially in developing its internal resources.

Mr. Niles rose and said, as he was not accustomed to express his ideas in speaking, he would say, after returning his acknowledgments to the convention, for the honor which they bestowed on him, that he should endeavor to merit it.

After some other similar matters, the president announced that the hour of adjournment had now arrived, and

Mr. Crowninshield having made the motion for adjournment, the president before putting the motion addressed the convention as follows:

Gentlemen—The moment of our separation being at hand, I feel myself called upon to say something to you; but, though accustomed to public speaking, I, on this occasion, feel myself at a loss for modes of expressing my feelings. I shall ever cherish the memory of my meeting with you, as one of the happiest circumstances of my life. If, on other occasions, in other stations, I shall be able to make use of the information I have borrowed from you I shall be truly happy; but, I will add that I shall never, I hope, use it to overthrow the interests or happiness of any section of the union. I received the honor bestowed on me in my appointment to preside over your deliberations with unforgotten diffidence and, in the administration of the office, I am sensible that I should have failed, had I not received from you aid and support, for which I tender you my hearty acknowledgments. Wishing to each one of you a safe return to your ha-

miles, I bid you farewell. God bless you.

The rev. Mr. Schroeder made a appropriate and impressive prayer, and the convention adjourned *pace du*

LIST OF OFFICERS AND MEMBERS
Composing the New York convention
held in the seasons room on the
city, October 26th, 1831.

President.

Hon. WILLIAM WILKINS, of Pa.
Vice-presidents.

Hon. JAMES TALLMADGE, of N. York.

Hon. GEORGE BLAKE, of Mass.

Secretaries.

HEZEKIAH NILES, esq. of Maryland.

JOSHUA W. PEIRCE, esq. of N. H.

CHARLES PAINE, esq. of Vermont.

MAINE.

Joshua Wingate, jr. Portland,

Isaac Bley do

Moses Emery Saco,

Joseph Cade do

NEW HAMPSHIRE.

Samuel Grant Walpole,

Lloyd W. Wells Somersworth,

Joseph W. March Portsmouth,

John Williams Dover,

Robert L. Latham Portsmouth,

Joshua W. Peirce Somersworth,

John B. Wheeler Orono,

Ebenezer Lord Portsmouth,

Walter Tufts Alstead,

David Culver, Limer,

Jeremiah Wilson Gilsumton,

Wm. Palmer Dover,

Saml. Garfield, jr. Langdon,

Thos. Woolson Claremont,

Richd. Bartlett Concord,

Robt. Rice Portsmouth,

Nathl. Gilman Exeter,

Richd. R. Waldron Portsmouth,

Thos. Nesmith Derry,

John Candler Franklin,

VERMONT.

Martin Chittenden Williston,

Charles Paine Northfield,

Heuman Allen Burlington,

Isaac N. Cushman Hartland,

Francis Stazon Rutland,

Thomas Hammond Orwell,

Chas. H. Hammond Bennington,

Mark Richards Westminster,

MASSACHUSETTS.

Warren Dutton Boston,

Patrick T. Jackson do

Israel Thorndike, jr. do

John T. Buckingham do

Abbot Lawrence do

D. D. Broilhead do

Thos. Lyman, jr. do

Isaac C. Pray do

James T. Austin do

George Hink do

Edward H. Robbins do

Charles Wells do

Stephen White do

James B. Brown do

William Appleton do

Martin Bates do

Willard Phillips do

Robert Rogerson do

Robert G. Shaw do

Alexander H. Everett do

John Hooper Marblehead,

Stephen C. Phillips Salem,

E. S. Rand Newburyport,

William Sutton Danvers,

Nathaniel Saltontall Salem,

Samuel Hoar Concord,

William Parmenter E. Cambridge,

Sathan Crosby	Newburyport,	Timothy T. Merwin	Norwalk,	Robert Wilkinson	Poughkeepsie,
Charles Stearns	Springfield,	Algeron E. Beard	do	A. L. Ulrich	Falkkill,
Jerry K. Newcomb	Greenfield,	Theodore Davenport	Stamford,	Alrsham Van Wyck	do
James Richardson	Dedham,	Saml. P. Randall	Wilton,	Robert Tillotson	Redhook,
John Lemist	Roxbury,	Starr Ferry, Bethel	Office, Danbury,	Isaac Merritt	Dutchess,
Luther Metcalf, jr.	Medway,	Samuel Raymond	New-Canaan,	Thomas Taler, 2d	Dover,
Samuel Crocker	Taunton,	William Watson	do	John T. Shryver	Rhinebeck,
John A. Parker	New Bedford,	Joseph Barber	New Haven,	Michael Schulz	Monroe Works,
Shepard Leach	Easton,	Walter Booth	Meriden,	Nathaniel P. Hill	Montgomery,
Ja's C. Starkweather	Pawtucket,	Philip S. Galpin	New-Haven,	David Corwin	Philipsburg,
Avron Tada	Dudley,	Ed. S. Johnson	Stratford,	John W. Knevela	Newburgh,
Nathaniel P. Denny	Leicester,	John Mather	Manchester,	Jesse Seefeld	Walden,
Rejoice Newton	Worcester,	Saml. D. Hubbard	Middletown,	John I. Brooks	Blooming Grove,
B. Taft, jr.	Uxbridge,	J. G. W. Trumbull	Norwich,	Nathaniel Dubois	Newburgh,
Jonas L. Sibley	Sutton,	Calvis Goddard	do	James Wheeler	Warwick,
John Milton Earle	Worcester,	Dennis Kimberly	New-Haven,	Edmund Kirby	Brownsville,
Joseph Lamsu	Northampton,	J. H. DeForest	Humphreyville,	Jeremiah H. Pearson	Randol,
Henry W. Dwight	Stockbridge,	Robert Watkinson	Hartford,	Lovell Kimball	Watertown,
Henry Shaw	Lanesborough,	Seth Marshall	Colebrook,	Jesse Buel	Albany,
Lemuel Pomeroy	Pittsfield,	Erastus Lyman	Goshen,	Isaiah Townsend	do
Joseph Merrick	do	John Eban	Canaan,	Benjamin Knowr	do
William Lawrence	Boston,	Hy. I. Ellaworth	Hartford,	Oliver Kane	do
Ebenezer Chadwick	do	Isaac Kellogg	New-Hartford,	Bennington Gail	do
Ezra Dyer	do	Benj. DeForest	Watertown,	Abel French	do
Amos Binney	do	Wm. C. Sterling	Salisbury,	Samuel S. Lash	do
Benj. W. Crowninshield	Salem	David C. Collins	Hartford,	Edward G. Delavan	do
William P. Elnicott	do	Wm. C. Gilman	Norwich,	Egbert Egberts	do
Russell Brown	Chester	John Boynton	South Coventry,	H. Ames	do
John Mills	Southwick,	J. M. L. Seville	Waterbury,	David E. Gregory	do
Jarl Noverss	Monson	Wm. DeForest	do	Henry G. Wheaton	do
Edmund Burke	North Adams	Russell Hoyt	Danbury,	John L. Rothbone	do
Daniel P. Merriam	do	Jas. Brewster	New-Haven,	John T. Norton	do
Isaac U. Hoxie	Adams,	John M. H. Key	Salisbury,	Samuel M. Hopkins	do
John Wyles	Brimfield,	Henry Watson	East Windsor,	John P. Beckman	Kinderhook,
Huratio Lyon	Monson,	E. S. Williams	Pomfret Landing,	Peter Townsend	New York,
RHODE ISLAND.		James Walcott	Walecottville,	Daniel Ayers	do
George Irish	Middletown,	W. R. Taber	Bridgeport,	S. O. Almy	Le Roy,
Samuel F. Garluer	Newport,	David Holly	Stamford,	Jena Child	Rochester,
Chris. E. Robbins	do	Samuel Comstock	Norwalk,	Harvey Lyon	do
Edw. Cornington	Providence,	Oliver C. Sanford	Weston,	Ethala Johnson	do
Zach'ly Allen	do	John Hyde	Mystic,	Eben. S. Beach	do
Sam'l F. Mann	do	Walter Mitchell	Hartford,	Derrick Sibley	do
Stanford Newell	do	Henry S. Lee	Leesville,	Barret Sanders	Schenectady,
Wm. E. Richmond	do	J. L. Hammond	Chester,	Arschuld Craig	do
Ben'g Cozzens	do	G. D. Wadhams	Walecottville,	Henry Peck	do
Matthew Watson	do	NEW YORK.		Gabriel Furman	Brooklyn,
Geo. Baker	do	John Woodward	New York,	William D. Ross	Essex,
John Whipple	do	Robert Swartwout	do	Francis Sayre	Catskill,
Stephen Waterman	do	M. E. Thompson	do	Henry McKinstry	do
Joshua Mauran	do	Thomas Hethell	do	George Tibbets	Troy,
Cha's Jackson	Seitate,	Henry G. Guxton	do	Richard P. Hart	do
Jas. F. Simmons	Johnston,	Clackson Crolius	do	Justus McKinstry	Hudson,
Wm. Rhodes	Warwick,	James Lanch	do	Oliver Wiswell	do
Nathan F. Dixon	Westerly,	Thomas R. Smith	do	James Milten	Columbiaville,
Peleg Wilbur, jr.	Coventry,	Edwin Williams	do	James Wild	Spencer Town,
Chas. Eldridge	E. Greenwich,	William Stevens	do	A. P. Holdridge,	Loufallowville
John Allen	Centerville,	Nathaniel J. Boyd	do	Charles H. Morrell	do
Stephen Steere	Smithfield,	James Tallmadge	do	Isaac B. Gere	Rhine,
Wm. A. Robinson	S. Kingston,	Hector Craig	do	Daniel F. Tillotson	do
Willet Carpenter	N. Kingston,	Anson G. Phelps	do	Isaac Carpenter	Troy,
Nathan M. Wheaton	Warren,	James B. Murray	do	Gordon Corning	do
John Howe	Bristol,	Charles A. Davis	do	Geo. M. Tibbets	Hosack,
Jas. D'Wolf	do	Augustus Greele	do	Rich. J. Knowlson	Sandlake,
Nath'l S. Ruggles	Newport,	Peter H. Schenck	do	A. G. Hammond	Berlin,
Rich'd Anthony	North Providence,	Joseph P. Simpson	do	Claudius Moffatt	Stephentown,
Win. Field	do	Jonathan Seymour	do	Gershom Turner	Nasem,
CONNECTICUT.		Jas. W. Robinson	do	Jacob P. DeForest	Greenbush,
David Kimberly	New Haven,	Jaeb Acker	do	E. B. Shearman	Utica,
Thomas G. Woodward	do	Peter Sharpe	do	Wm. Walcott	Whites Town,
Nath'l R. Clark	do	Ralph Lockwood	do	Fortune C. White	do
Wm. W. Boardman	do	Silas Brown	do	S. N. Dexter	Oriskany,
Leverett Griswold	do	Erasmus Elsworth	do	Aaron Barnes	Utica,
Simey Babcock	New-Haven,	Eljah Paine	do	Jesse Ives	Whites Town,
Joseph Fairchild	do	Peter R. Livingston	Rhinebeck,	Wm. Williams	Utica,
Hosea Hinsdale	Winchester,	Thomas Williams	Poughkeepsie,	Montgomery Hunt	do
Theodore Hinsdale	do	Morgan Carpenter	Stamford,	Abuel Seward	do
Thomas Watson, jr.	New-Hartford,	Stephen Titus	Logrange,	Abm. Varick	do
Alanson Humlin	Bridgeport,	Gilbert Brewster	Poughkeepsie,	James Dana	do
Edwin Porter	do	William Davis	do	A. B. Johnson	do
Fitch Wheeler	do	Bartow White	Falkkill,	Jos. L. Richardson	Auburn,
Sam'l B. Sherwood	Saugatuck,	John C. Van Wyck	do	Daniel Kellogg	Skeneateles,
William H. Jessup	do	William B. Leonard	do	John Howell	Ulster,
Ebenezer Jessup	do	Walter Cunningham	Poughkeepsie,	John Buckley	Marlborough,

William Soper, jr.	Milton,	Mark Richards	Philadelphia,	Philip Keybold	Delaware city,
Effingham Lawrence	Flushing,	Nathia Bunker	do	William Kennedy	do
Jos. L. Franklin	do	Alexander McClurg	do	MARYLAND.	
Wm. R. Prince	do	James Martin	do	Luke Tiernan	Baltimore,
Isaac E. Haviland	N. Hempstead,	Thomas P. Hoopes	do	John McKim	do
Wm. H. Jones	Cold Spring,	John R. Coates	do	Hezekiah Niles	do
Robert W. Mott	N. Hempstead,	J. P. Wetherill	do	Lewin Wethered	do
Benj. B. Howell	New York,	John S. Riddle	do	Isaac Tyson, jr.	do
John Van Wyck	Fishkill,	Edward Coleman	do	Hugh W. Evans	do
Allen Thompson	Pine Plains,	D. S. Hassinger	do	Thomas Ellicott	do
E. Tilden	New Lebanon	Geo. Wilson	W. Alexander, W. co.	John P. Kennedy	do
I. Stott	Hudson,	Thomas McGiffin	Washington co.	Wm. W. Taylor	do
NEW JERSEY.		David Acheson	do do	Christain Keener	do
John Morrow	Paterson,	Wm. Waugh	do do	James Williams	do
Robt. B. Campfield	Newark,	Thomas Morgan	do do	Columbus O'Donnell	do
John Taylor	do	Jonathan Roberts	Upper Merriam,	John Kelo	do
John Colt	Paterson,	Mathew Roberts	do do	Samuel D. Walker	do
Mark W. Collet	do	Richard B. Jones	Lower Merriam,	George Rodgers	do
Stephen P. Brittain	Elizabethtown,	Joseph Eagle	Chester,	Roswell L. Colt	do
John N. Simpson	Princeton,	Daniel Lanimott	do	John T. Harr	do
Robert Lee	Rahway,	John Edwards	Ivy Mills, Del. co.	Hugh Boyle	do
Wm. Edgar	do	James McSherry	Petersburg,	Evan T. Ellicott	do
John S. Darsey	Hanover,	Daniel M. Smyser	Gettysburg,	James Beecham	do
John Vail	Paterson,	Joseph Williams	Somerset,	S. C. Leakin	do
Wm. W. Coriell	Elizabethtown,	Emanuel Shaler	do	J. W. McCulloh	do
Henry D. Polhemus	Freehold,	Jacob M. Haldeman	Harriaburg,	Geo. Keyser	do
Jonathan Crane	Elizabethtown,	Alexander Cardon	do	Horatio McPherson	Frederick,
Saml. G. Wright	Allentown,	Walter S. Franklin	do	James M. Cole	do
John Coryell	Lambertville,	Jacob U. Snyder	Oley Furnace,	John Brien	do
Thomas Capner	Flemington,	Geo. D. B. Kiem	Reading,	W. C. Johnson, Newtown, Fred. co.	
Charles C. Stratton	Swedesborough,	James L. Dunn	do	John Wethered, Baltimore county,	
Israel R. Clawson	Woodstown,	Simon Seifert	do	Hy. Ellicott, Patuxent Forge, A. A.	
David Reeves, Bridgetown, W. N. J.		Daniel M. Keim	do	Jeremiah Hughes	Annapolis,
Wm. P. Robinson	Oxford Furnace,	William Wilkins	Pittsburg,	P. Wethered, jr. Union House, Kent	
Edward Thomas	Medford,	Thomas Bakewell	do	George Gale	do
Robert E. Hornar	Princeton,	Robert T. Stewart	do	Simon A. Wicks, Chestertown, do	
William Tuttle	Newark,	Alexander Brackenridge	do	Jacob Mathias	Westminster,
Abraham W. Kinney	do	Walter Forward	do	OHIO.	
Caleb H. Shipman	do	John McKee	do	Geo. Endly	New Lisbon,
Isaac Andrus	do	James Sinton	Easton,	Holland Green	do
Stephen Dodd	do	Anthony McCoy	Martin's Creek,	VIRGINIA.	
Asa Torry	do	Wm. Henry	Stroudsburg,	William Lambdin	Wheeling,
Ashbell W. Cory	do	Hopewell Hepburn	Easton,	John McLure	do
Amzi Dodd	do	Elisha Hunt, Brownsville, Fayette co.	do	M. Bruen*	Amboy, N. J.
Wm. Jackson	Rockaway,	Daniel Durkee	York co.	DISTRICT COLUMBIA.	
Joseph Jackson	do	H. Y. Slaymaker, Margaretta furnace,		Peter Force	Washington city.
Wm. Scott	Powerville,	James Homes	Lancaster,	BALT. AND OHIO RAIL ROAD.	
Geo. M. Maclean	Princeton,	Wm. Coleman	do	Fifth annual report of the president	
Abraham Cross	Newark P. O.	Cyrus S. Jacobs	do	and directors, to the stockholders of	
Jonathan Cory	do	David Jenkins, Churchtown, Lan. co.	do	the Baltimore and Ohio rail road	
Henry A. Ford	Morris Town P. O.	Samuel O. Jacobs	do do	company.	
Dayton I. Canfield	do	David Mann	Bedford,	The president and directors of the	
Daniel Holman	Paterson P. O.	Peter Schell	do	Baltimore and Ohio rail road company,	
Thomas Rodgers	do	Abraham Kerns	do	in presenting the fifth annual re-	
Joseph C. Hornblower, Newark,		Samuel M. Barclay	do	port, feel highly gratified in being able	
Samuel Swan	Round Brook,	Jas. McIlvaine, Brandywine Manor,		to congratulate the stockholders upon	
Abraham Godwin, jr. Paterson		[Chester co.		the increasing success, which has ther-	
Nicholas Smith	do	David Potts, jr.	Potts Town,	eas attended the operations of the com-	
PENNSYLVANIA.		Th. W. Langley	Warren, P. C.	pany. The construction of the road,	
Mathew Carey	Philadelphia,	Pauli,	do	during the interval which has elapsed	
Danl. W. Cox	do	James Whitaker	Phenixville,	since the last annual report of the	
A. M. Jones	do	Thomas Chambers	Chambersburg,	board, has been steadily advancing	
Jesse R. Burden	do	Hardman Phillips	Phillipsburg,	with great activity; and there now re-	
Edmund Green	Honesburg,	Geo. Valentine	Bellfonte,	mains no doubt, but that the first five	
Ellis Lewis	do	James Dunlop	Chambersburg,	divisions, extending from the city of	
S. V. Merriek	Philadelphia,	Geo. G. Leiper	Leipersville,	Baltimore to the Potomac river, a dis-	
Wm. W. Young	do	Samuel Edwards	Chester,	tance of 67 1/2 miles, as well as the	
Samuel Burck	do	John Dukchatt, jr.	Fallstown,	lateral road to Frederick, will be	
John J. Horie	do	Benjamin Reeves	Philadelphia,	opened for travelling during the pre-	
B. W. Richards	do	Thos. G. McCulloh	Reading,	sent year.	
T. B. Barragh	do	E. T. McDowell	Doylstown,	Under the authority given by the	
Charles J. Ingersoll	do	Matthias Morris	do	city council of Baltimore, a line of	
Joseph Howell	do	John Britton	Brooklin,	railway has also been laid from the	
Robert A. Parrish	do	Alfred Jenks	Bridgetown,	termination of the main stem of the	
Lewis Wain	do	Wm. Almond	Blockley,	road, at the depot, near Pratt street,	
P. A. Browne	do	Samuel Kimball	Stoytown,	down that street to the basin, where	
John White	do	William Morris	Newhope,	it is now under construction to the	
E. Roberts	do	DELAWARE.		city block, running parallel with the	
Samuel Richards	do	Andrew Gray	Newark, N. C. co.	entire water front of the city, commo-	
Churchill Houston	do	E. I. Dupont	Brandywine near Wil.		
Hercibal McCredy	do	Jacob Alrichs	Wilmington,		
J. Hulgate	do	John Gordon	do		
Joseph Homphill	do	Mahlon Betts	do		

*By special delegation from Kent and Wm. county.

meeting with all the wharves, and intersecting all the principal streets which extend northwardly and southwardly, as far down as the public property south of Jones's falls, at which place there have been conveyed to the company, by the corporation of Baltimore, two squares of ground, favorably situated for the convenient and economical transaction of an extensive commerce. An uninterrupted communication will thus, within a few weeks, be opened along the whole extent of the road, between the port of Baltimore, the Potomac river at the Point of Rocks, and the city of Frederick.

Upon this line a double set of tracks is nearly completed over a distance of twenty-seven miles; and a single set of tracks is also so nearly finished over the remaining forty-six miles, as to leave no doubt of its early completion. The requisite arrangements have likewise been made to secure the construction of the second track, along the whole line, to the Potomac river, during the ensuing spring.

When the work shall have been finished to the Point of Rocks, the operations of the company, which have heretofore been interdicted beyond that place, by the injunction issued at the suit of the Chesapeake and Ohio canal company, must necessarily be suspended, unless a decision of the question of right should, in the mean time take place, or the canal company agree to compromise the dispute. The delay which this litigation has already occasioned, is the more to be regretted, as there is no reason whatever to doubt, but that if a spirit of accommodation existed on the part of the canal company, sufficient room would be found, for both works along the ground in dispute, even should that company still adhere to the idea of extending the work to Cumberland—indeed, so far as the examinations have been made by the engineers of the two companies, it is fully ascertained that there is ample space for both the rail road and the canal at a very inconsiderable additional expense.

The very great improvements which, within a few years past, have been made in the construction of rail roads, and in the machinery employed upon them, have given to this system of transportation, so decided an advantage over all the other artificial means of intercommunication heretofore attempted, as to have inspired an almost universal confidence in it, both in our own country and in Europe. A railway is now constructing between New York and Philadelphia, another across the peninsula between the Chesapeake and Delaware bays, to connect with the steam boat travelling between Baltimore and Philadelphia; these works are fast approaching towards completion; and will, when finished, ensure an easy and rapid communication between those three great commercial emporiums, reciprocally beneficial to them all, and vastly increasing the travel and intercourse between them. By constructing a railway from Baltimore to Washington, this line of communication would be extended from New York to the capital of the United States.

Impressed with the importance of accomplishing this last object, in which the convenience of the whole community is so deeply interested, and believing that the road, if judiciously located and constructed, would afford a fair remuneration to the stockholders, the board have directed that during the present season the necessary examinations and surveys should be made for the purpose of ascertaining the facilities which the intermediate country offers for a rail road, and the approximate expense of its construction. In this duty the chief engineer of the company with an efficient force has for some time been engaged.

The legislature of Maryland, during the last session, passed an act which, among other provisions, authorised the Baltimore and Washington turnpike road company to subscribe \$100,000 to the stock of the proposed road to Washington, and reserving to the state the right to subscribe for five-eighths of the cost of the road from its intersection with the Baltimore and Ohio rail road to the line of the District of Columbia, amounting perhaps to a moiety of the whole proposed expenditure.

The directors being desirous of procuring their steam machinery, as far as practicable, of American workmanship, and anxious to direct the mechanical genius of

this country to its further improvement, offered a premium for the best constructed locomotive engine, which should be placed upon the road on or before the 1st of June 1831, limiting the performance to a certain rate of speed and power of traction. Only one engine has yet been offered, which on trial, appeared to be adapted to the structure of our road, this engine it is believed, taking into consideration its weight, is, in point of efficiency nearly if not quite equal to any locomotive yet tried.

From the experiments which the board have been enabled to make with it, they have fully ascertained that steam power may be used, on the Baltimore and Ohio road, at a rate of speed and economy of cost, which will fully realise the most sanguine anticipations of the company; arrangements are accordingly now in train to procure a sufficient number of locomotive engines of a weight and construction suitable for the travel and transportation on the road. These it is expected will be in readiness by the time the two sets of tracks shall be completed to the Potomac river, and until then, the transportation on the western divisions of the road will be effected by horse power.

The graduation of the inclined planes at Parr ridge is nearly finished, and they will very soon be in readiness to receive the rails. It is contemplated to place the necessary stationary engines with their appropriate fixtures there, as early as possible; and in the mean time horse power will be employed in passing them.

Considerable progress has been made in the improvements at several of the depots of the company, by the construction of substantial and appropriate buildings, and other requisite accommodations, adapted to the commerce of the road; and from the warehouses of the company upon Camden street, a rail-way will be laid up that street for the convenience of the return trade. These arrangements will, it is believed, secure to the public, in the use of the road, every necessary facility and convenience.

As it was early foreseen that a very considerable commerce would be attracted to the city of Frederick, when the road should be completed to that place, the interests, both of the public and of this company required, that a sufficient extent of ground should be procured, and the improvements necessary for the operations of the company erected there. The municipal authorities of that city with a liberality not less honorable to themselves than gratifying to this board, generously offered to convey to this company, free of cost, six acres of land, immediately adjoining to that city for a depot: several of the citizens of Frederick also offered to obtain, without any charge to this company, the right of way for the lateral rail leading from the main stem to this depot—these valuable grants were accepted by the board, and the necessary conveyances have been duly executed.

The depot at Frederick is so situated as to secure from it, an easy communication by lateral railways into all parts of that city; the company will therefore be enabled to receive produce or deliver freight upon any street where the inhabitants may extend the railway, and open suitable warehouses for the accommodation of the trade.

The system organized for the regulation of the business of the company, and for the government of its agents, has, in its operation been found to be efficient and practicable, clearly defining the duties of the several officers and maintaining a strict responsibility in every department. It is also with sincere satisfaction, the board can inform the stockholders that notwithstanding the complicated operations of the company, requiring numerous agents, whose duties rendered it necessary they should be dispersed over an extensive district of country, the utmost harmony and fidelity, with the exception of a single instance referred to in the accompanying documents, have pervaded all the departments; and a most laudable disposition has every where been manifested by the officers and agents employed, zealously to co-operate in the advancement of the work, and in reciprocally giving to each other a cordial and efficient aid and support in the discharge of their several duties. This disposition has greatly facilitated the operations of the company, and very much abated the labors of the board.

Upon reference to the report of the chief engineer of the company, and to the reports of the superintendent of graduation and masonry, and of the superintendent of construction, which are hereto annexed, the stockholders will find a minute and circumstantial exhibit of all the operations of the company, in relation to the location and construction of the road, subsequent to the time of the last annual report, down to this date, as well as of several highly valuable improvements which have, within the same period, been made in the machinery and moving power employed upon it. By these reports it appears that the actual cost and graduation and masonry upon the 71 miles between Baltimore and the Point of Rocks, including the lateral road to Frederick, will not exceed \$1,101,615 or \$15,500 per mile;* and that the cost of a double set of tracks upon the main stem of the road, and of a single set on the lateral road to Frederick will not exceed \$805,238 or \$11,623, per mile of road with a double set of tracks, thus making the total cost of graduating the entire line of these portions of the road and of laying the rails upon them \$1,906,853 or \$27,123 per mile. About one third of this line will be laid with stone rails, and the remaining two-thirds with wood.

In this charge is included the heavy expenditures incurred on the first division of the road. According to the report of the superintendent of graduation and masonry, heretofore referred to, it appears that the graduation and masonry of the 2d, 3d, 4th and 5th divisions of the road, embracing the entire line between Ellicott's mills and the Potomac river, and extending over a distance of 54½ miles, will cost \$465,443 or \$8,540 per mile: if to this be added \$11,623, the average cost of laying a double set of tracks, on the entire line between Baltimore and the Point of Rocks, the actual cost of graduation, masonry and laying a double track of rails on the road between Ellicott's mills and the Potomac, will be \$30,168 per mile, and this district, it is believed, may be assumed as affording a fair specimen of the labor and expense which will be incurred on the remaining line of the road from the Point of Rocks to the coal mines in Alleghany county.

The entire line of the road, from the depot of the company, near the intersection of Pratt street and the Washington road, at Baltimore, to the Point of Rocks is 67½ miles, to which is to be added for the distance thence to the eastern termination of the railway at the city block 2 miles, and for the branch road to Frederick 5½ miles, making the whole distance finished and under construction 73 miles. The excavation, embankment and masonry upon nearly 46½ miles of which have been completed within the last twelve months; and upon which there has also been laid 45½ miles of single tracks of rails within the same time.

In deciding upon the materials of which the rails should be formed, the board have continued to pursue the determination adopted soon after the commencement of the undertaking, which was in all cases where stone rails could be procured, to use them, and in those districts where stone of a suitable kind could not be

obtained to use wood of the best and most durable quality the country afforded. Throughout the district intermediate to the Patapsco and Potomac at the Point of Rocks, no stone of a quality suitable for rails has been discovered, and consequently upon this district wooden rails have, of necessity, been substituted. For the same reason a wooden viaduct, supported by substantial stone piers and abutments, has been constructed across the Monocacy river.

Although the first track on the 3d division of the road was completed several months since, yet as both tracks on this section will be of stone, and the second one has not yet been finished, it was found that the running of passenger cars upon this part of the road greatly interrupted the work, and would considerably retard its completion; the general travelling has, therefore, not been extended beyond the first division of the road, a distance of 13 miles.

Upon reference to the report of the superintendent of transportation, hereto annexed, it will be seen that 81,905 passengers have passed on this division since the first of January last, and that within the same period 5,931 tons have been transported upon it, yielding an income of \$51,405 24 and involving an expenditure of \$10,994 87.

With the foregoing results before them, the board have no hesitation in assuring the stockholders of their entire confidence, that when the legal obstructions, which now arrest the progress of the work, shall have been removed, the remaining distance of the road, between the Point of Rocks and Cumberland may be completed, with a double set of tracks, within three years; and they are fully confirmed in the opinions heretofore expressed, "that a rail road upon the plan contemplated by the citizens of Baltimore, between that city and the Ohio river, is easily practicable—that its powers and facilities will be found to be equal to all the anticipations that were formed of its capabilities, when the work was first commenced, and that the most sanguine calculations of its importance, and utility, whether the object be regarded with reference to its national and local advantages, or its profits to the stockholders, will be realized."

PHILIP E. THOMAS, *president.*

October 1, 1831.

Second annual report of the chief engineer of the Baltimore and Ohio rail road.

Engineer's office, Baltimore and Ohio rail road, Baltimore, October 1, 1831.

To PHILIP E. THOMAS,
President of the Baltimore and Ohio rail road co.

In accordance with the regulations of the company, I now present my second annual report, detailing the proceedings of this department for the last twelve months, and embracing such operations as will claim attention within the next year.

Every effort has been made to realize the expectations which were formed, and the assurances that were given, that the road would be opened for travelling both to the Point of Rocks on the Potomac river, and to the city of Frederick within the year 1831; and notwithstanding the generally unfavorable state of the season during the last autumn and the unusual severity of the winter, the work has been prosecuted with such activity that fully as much has been accomplished as was expected; leaving no reason to doubt but that the road will be opened to those places with a double set of tracks on the first and second divisions, and with a single set of tracks on the other portions, within the time anticipated.

The details of the proceedings of the company since the last report, will be stated under the following heads:

1. The graduation and masonry.
2. The construction of the railway.
3. The location of the route.
4. The machinery and moving power.

And I shall also embrace the subject of the introduction of the railway into the improved parts of the city of Baltimore, as well as that of the proposed railway to Washington.

The graduation and masonry.

Previous to the last annual report, the graduation and masonry had been completed upon the city division and

*Upon reference to the annexed report of the superintendent of graduation and masonry, a detailed statement of the separate cost for graduation and masonry upon the several divisions of the road, intermediate to the city of Baltimore and Potomac river, as well as of the lateral road to Frederick, will be found.

By this report, it appears that the graduation and masonry upon the first division of the road, embracing 13 miles, and extending from the city of Baltimore to Ellicott's mills, has cost \$46,354 56 per mile, whilst the graduation and masonry upon the other four divisions, embracing 54½ miles, and extending from Ellicott's mills to the Potomac, will cost only \$8,532 16 per mile.

That the graduation of 12½ miles of the road near to Baltimore has cost as much as the graduation of the remaining 54½ miles will cost.

That the masonry on 8½ miles of the road near to Baltimore, has cost as much as the masonry on the remaining 53½ miles will cost.

And that the graduation and masonry together, has cost on the first 11 miles of the road \$33,000 more than it will cost on the remaining 56½ miles.

upon the first division to Elliott's mills, a distance of thirteen miles; and likewise, with the exception of the great rock excavation at Elliott's mills, upon the second division, to the forks of Patapsco.

Fifteen miles of the third division, in continuation from the second division, had also been placed under contract; so recently however, that very little progress had been made upon it.

Since the last annual report, the excavation of the Tarp-
pean rock at Elliott's mills, and the graduation and masonry on the fifteen miles of the third division, completing a distance of forty miles from Baltimore, have been finished.

During the last autumn and winter, a distance of about sixteen miles, reaching to the Point of Rocks on the Potomac, and comprising about five miles of the fourth division, along the ravine of Bush creek from Hams' mill to the Monocacy river, together with the whole of the fifth division from thence to the Point of Rocks, as also the viaduct across the Monocacy, were placed under contract.

The graduation and masonry on the five miles along Bush creek, and upon a part of the eleven miles of the first division were completed during the early part of the present year, and the entire residue, including the viaduct, will soon be finished.

In the month of June last, the graduation and masonry of the residue of the line between Baltimore and the Point of Rocks, comprising a distance of twelve miles, including the inclined planes across Parr's ridge, were contracted for. The dividing point of the third and fourth divisions is on the top of that ridge; and of the twelve miles just mentioned, about 3½ miles are on the third, and 9½ miles on the fourth division.

About the same time the work upon the lateral road to Frederick, a distance of 3½ miles from the main stem at the Monocacy, was likewise placed under contract.

The work upon these portions of the line has been prosecuted with uncommon vigor, and with a view to its being prepared for the reception of the railway in time for the attainment of the object herein before mentioned.

The graduation, masonry, and bridging, being under the superintendence of Casper W. Wever, the report which that vigilant officer is expected to make to the board, will complete the necessary details in relation to this branch of the service.

The construction of the railway.

In the early part of the last year, a double track of railway was finished from Baltimore to a point near the Patapsco, and a single track from thence to Elliott's mills was also completed. Contracts had also, in August 1830, been made for laying down the residue of the second track to Elliott's mills, including about 6½ miles, and likewise for laying the first track on the second division from Elliott's mills to the forks of Patapsco; in length twelve miles.

These tracks have been completed in a substantial manner with granite sills, except for short distances on high embankments, where wood was preferred.

It was expected that the two tracks to Elliott's mills and the first track to the forks of Patapsco would be completed during the autumn of 1830; but the length of time required to procure the sills from the existing quarries, and to construct the track in so substantial a manner, rendered this impracticable. The consequence has been, that the completion to Elliott's mills took place in the winter, whilst the 12 miles of track above the mills were not finished until the middle of June last.

A contract has also been made for laying down the second track of the second division, with granite sills. This work has been judiciously prosecuted by Enoch Sweat, who had heretofore evinced his ability and zeal as a contractor in the service of this company. Of the 12 miles of tracks embraced in this contract, only 1½ miles remain to be laid; and the entire double track to the forks of Patapsco, 25 miles from Baltimore, will probably be completed by the 1st of November next.

The first track to be laid on 15 miles of the third division was contracted for in the last autumn; but owing to circumstances which will be explained in the documents accompanying the report of the superintendent of

construction, a disappointment has been experienced in this part of the work. From the measures which have been adopted however, and which will be pursued with regard to the work on this division, it is believed, that the first track will be completed by the 1st of November next. Of this track 5½ miles will be laid with granite sills, and the residue with wood. Materials are in preparation for a second track on this division.

Contracts have also been made for laying the first track on the remainder of the third, and on the whole of the fourth and fifth divisions, to the Point of Rocks, and likewise upon the lateral road to Frederick; together with the second track upon a part of the distance embracing Parr's ridge; and it is expected that these contracts will be completed by the close of the year 1831.

From the circumstance, that stone suitable for sills, had not been found contiguous to the upper part of the third division, nor upon the fourth and fifth divisions, including the lateral road to Frederick, it became necessary to lay the first track through these distances, with wood instead of stone; and from the necessity there will be for having the use of a second track, previous to the time when it could be finished with stone to be brought from a great distance, by means of a conveyance on a single track, which would at the same time be much, if not fully, occupied with the public traffic and intercourse, it is worthy of consideration whether it will not be for the interest of the company and the public, that the second track on part of the third, and on the whole of the fourth and fifth divisions, should not likewise be laid with wood.

The reason for this step will be much strengthened from the consideration, that the facts developed on the first and second divisions indicate, that embankments should be allowed a period of from two to three years at least, to settle, previous to receiving a railway constructed of stone sills.

In this way, the road would come into profitable use at an earlier period, and it is believed that the advantage to accrue from this circumstance would more than compensate for any loss that would be consequent on the decay of the wood.

When the wood shall decay, the track can be repaired of stone sills, or any other method that shall have been approved.

About 40 miles of single track will have been laid with stone sills, by which the relative advantages between their use and that of wood in the formation of the railway, will be tested, as regards the first cost, durability, repairs, and facility to the motive power.

Since the last annual report, a contract has been made with John McCartney for the extension of a single track of stone and iron railway along Pratt street within the improved parts of the city. This enterprising contractor is executing the work in a very satisfactory manner, and already the track has been laid to the basin.

During the present season there have been erected a permanent carriage house, weigh house, &c. on the ground conveyed to the company by James Carroll, esq. A depot has also been established at Elliott's mills, on which there has been erected a permanent warehouse. There has likewise been a depot established at the city of Frederick as well as within the city of Baltimore, near the basin, upon the latter of which a suitable house is erecting.

For a more full account in relation to the construction of the railway, depots, &c. I refer to the report of Jacob Small, superintendent of construction, hereto annexed, marked A, and to the documents accompanying the same, in which will be found a lucid narrative and statement by his principal assistant, James P. Stabler.

Location of the route.

In accordance with a resolution of the board, the requisite steps have been taken to revise the location of the residue of the third and the whole of the fourth and fifth divisions to the Point of Rocks, and also to locate the lateral road to Frederick city.

For this purpose it was arranged that Casper W. Wever, superintendent of graduation and masonry who had just closed the field duties requisite for the revision of the location upon the greater part of the third division, should continue his labors in this service. And in order

that due time might be allowed for the consideration of questions relating to the system of inclined planes across Parr's ridge, a random line of survey and levels was by him extended across the ridge and down Bush creek to a point beyond any supposed influence to arise from the system of planes which might eventually be adopted in passing that ridge.

From this point near Ijams' mill, to the end of the fourth and beginning of the fifth division, on the west bank of the Monocacy river, and including a distance of about five miles, the line was duly revised and staked out for contract by that officer, according to the principles which I approve.

This part of the line occupies the most narrow and crooked part of the ravine of Bush creek and extends to the junction of that stream with the Monocacy. It required the exercise of no ordinary skill and judgment to lay the line and in such manner as to give space for the passage of the stream on the one hand, and so as not to encounter, to an improper extent, the precipitous and rocky projections of the hill, on the other; and at the same time to keep the curvatures sufficiently gentle and regular.

The location has been made so as not to have the radius of curvature less than 440 feet. One point of hill is passed with a few hundred feet having this radius, whilst in every other part, the radius of curvature is greater than 500 feet.

In the experimental lines which had been previously run, curves of radii less than 440 feet had been here employed. The grades were also reduced so as not to exceed a descent towards the Monocacy at the rate of 24 feet per mile in any part.

The superintendent also continued the location on the fifth division from its commencement to Ballinger's creek, a distance of about $\frac{1}{2}$ miles. In addition to which he also attended to the necessary surveying and levelling required for the location and staking out for contract the route of the lateral road connecting the main line at the west bank of the Monocacy, with the city of Frederick.

The field notes and levels of these several parts, and the maps and profiles of the route of the main line from Ijams' mill to Ballinger's creek, have been reported and are on file in this department.

The assistant engineers, Henry J. Ranney and Ralph S. Smith, who had aided in the field duties of the revision of the third division, and George T. Dunbar, John W. Smith, and Benjamin A. Alderson who had assisted in the calculations, were detailed to continue their services under C. W. Wever in the revision of the main line.

The revision of the line from Ijams' mill to Ballinger's creek, as before mentioned, having been concluded, and having also just been placed under contract for the graduation and masonry, it was no longer convenient, on account of the press of business appertaining to his office, for the superintendent to continue the field operations upon the location of the main line after the 30th of November.

I therefore resumed this duty personally, and completed the location and staking out for contract the residue of the fifth division from Ballinger's creek to the Potomac river at "the Point of Rocks," a distance of about $\frac{3}{4}$ miles, in which service I was aided by the assistants already named, and by Benjamin H. Latrobe, who had recently been employed as an assistant in superintending the laying of the railway on the second division.

The line throughout the fifth division passes over a country the surface of which is undulating; nevertheless the route is remarkably direct; and as regards curvature, it is almost equivalent to a straight line. There is no curvature in eleven miles, the extent of this division, of less radius than 1,146 feet, and only about one-fourth of a mile having a less radius than 1,310 feet, whilst the entire length of the straight parts is eight miles. The maximum grade upon this division and upon the lateral road is 30 feet per mile, and will therefore be within the advantageous range of the action of locomotive steam engines.

The maps and profiles have been executed, and are, together with the notes of the survey and levels of the

located line from Ballinger's creek to the Point of Rocks on file in this office.

These surveys were completed on the 27th of December last, the time having been considerably extended in consequence of the shortness of the days and the inclemency of the season.

During the last spring the necessary examinations, surveys, and levels were made to effect the final location of the remaining part of the line between Baltimore and the Point of Rocks, to wit, the part including the crossing of Parr's ridge, in length about 12 miles. The staking out for contract of this part of the line was completed on the 6th of June last. The maps and profiles have been executed, and are, with the notes and calculations, deposited in this office.

In making this part of the location I was assisted by the gentlemen already mentioned, with the exception of B. H. Latrobe, who had been detailed to run and stake out the centre line and curvatures of the graduated surface of the third, and parts of the fourth and fifth divisions, preparatory to the laying of the railway.

For a description of this part of the line, and the principles which governed in its location, reference is made to my report dated the 6th of June last, and which is herewith annexed, marked B.

The document just referred to contains statements of the sections and quantities of excavation and embankment as calculated at the time of making the location, to be necessary to effect the graduation.

Similar statements for the residue of the fourth division, for the fifth division, and for the lateral road to Frederick, are contained in the tabular exhibit marked C, annexed.

I also annex a tabular statement, marked D, prepared by B. H. Latrobe, and containing the distances, grades, and radii of the curvatures on the line of the Baltimore and Ohio rail road from the depot first established on Pratt street, to the Point of Rocks, and to the city of Frederick.

I herewith further present a map and profile of the final location of the line to the extent just mentioned, as drawn by Joseph Shriver, who, it is proper to say, also assisted B. H. Latrobe in tracing the centre line on the graduated surface of the third division, to guide in the laying of the railway.

Having been charged with the investigation of the eligibility of introducing the railway into the improved parts of the city of Baltimore, that subject was attended to, and received the consideration due to its importance. A copy of my report upon this subject dated the 5th of February last, accompanies this report, and is marked E.

Immediately on my completion of the location of the fifth division to the Point of Rocks, I was instructed to make a reconnaissance of the country lying between the city of Baltimore and the city of Washington, with a view to ascertain and report upon the apparent facilities afforded for the location and construction of a railway that should connect Baltimore with the seat of the general government.

This duty was performed to the extent which the inclemency of the winter, at the time, permitted; and a report thereon was made on the 22d of January.

In making this reconnaissance, I was assisted by B. H. Latrobe; and was also aided by the facts developed in the survey of a route for a canal, made for the United States, by Dr. Wm. Howard. And I take this occasion to acknowledge myself indebted to that gentleman and also to capt. Wm. Gibbs McNeill, and to col. J. Abert of the U. S. topographical bureau for a view of the maps and profiles of that survey.

After the location across Parr's ridge was completed, I was directed to take the necessary steps, without loss of time, towards effecting the location of the route of the proposed railway to Washington.

Two parties were accordingly organised, the one under the immediate direction of Henry J. Ranney, and consisting of Ralph S. Smith, leveller; John W. Smith, surveyor; Benjamin A. Alderson, draftsman; and John Small, jr. and Charles G. Hanson, calculators; and the other under the immediate direction of B. H. Latrobe, composed of Albert M. Lea, leveller; George T. Dunbar, surveyor; Oliver C. Morris, draftsman; and Henry H. Krebs and William K. Coulter, calculators.

These officers commenced the preliminary surveys and levels on the 15th and 18th days of July last, respectively, and continued their operations with due diligence until about the 1st of September, when, from the unhealthiness of the season and of the country bordering on the Patuxent, several of them became seriously ill of bilious fever; and it was therefore necessary to suspend the field operations until a more healthy season should return. These operations, it is hoped, may soon be resumed; and they will be unremittently prosecuted until the location, together with the calculations, maps, and profiles, shall be completed.

I had expected to have personally superintended and directed all the preliminary surveys which would be required previous to the location of the Washington road, but other duties claiming my attention, it became necessary that these surveys should be made under written instructions that would embrace, in a great degree, their extent, together with the manner, method, and principles, upon which they should be conducted.

In elucidation of this subject there is hereto annexed a copy of these instructions, dated the 6th of July last, marked F, to which is likewise necessarily attached a copy of my report of the 22nd January, heretofore mentioned.

The machinery and moving power.

Advances have been made since the last report towards the perfecting of the turn-outs, and likewise of those parts of the cars subject to friction, wear and fracture.

The turn-outs have been modified so as to adapt them more perfectly to the object. A single switch is used, the position of which is in the rail across which the turn-out is directed. The pressure of the inner side of the flange against the switch when thrown open, together with the greater circumference of the opposite wheel rolling with the flange on the cast iron plate, effectually guides the car in the direction of the turn-out, and with but little additional friction.

At first, it was thought to be necessary to lessen the breadth of the track at the turn-outs in consequence of the great play which had been given to the flanges on all the other parts of the road, to wit, $1\frac{1}{2}$ inches; experience, however, has brought us to adapt the same breadth of track at the turn-outs as in other parts of the way, namely 4 feet 9 $\frac{1}{2}$ inches between the iron rails; and an entire uniformity of breadth is now preserved throughout.

It has been found necessary to give some additional strength to the wheels and axles, to preserve the former from fracture, and the latter from flexure. The diameter of the axle has been increased from 2 3-4ths to 2 7-8ths inches, and the weight of the wheel from 175 lb. to 205 lb. The diameter of the wheel continues to be 30 inches, whilst the breadth and thickness of the rim and of the spokes have been somewhat enlarged.

The cylindrical and conical form of the face of the wheel remains as at the first, excepting that the rise of the conical part has been changed from a ratio of 1 to 6, to that of 1 to 5; whilst the breadth of this part, which was one inch, has been increased 3-16ths of an inch. The rise next to the flange is therefore now $\frac{1}{4}$ of an inch instead of 1-6 as formerly.

This change was induced from a conviction that the motion of the cars would, in general, be rendered steadier, and with considerable velocities, easier in the extreme curvatures. It was also believed that the effects of chilling would be greater, whilst the cone would be more durable; at the same time, the experiments on friction justified the conclusion that no lateral thrust would result from this increase.

Experience so far, appears to confirm all these expectations; and it is believed, that a decided improvement has thus been effected.

The cone now used, will answer for three feet wheels upon curvatures of road of 400 feet radius, and hence, wheels of that diameter can be employed for the use of the locomotive engines.

In the use of the Winans' car, it was found that greater strength, and hardness of texture, in the friction wheel, were requisite, than was at first apprehended. Greater strength to withstand shocks, and hardness to preserve from the attrition and wearing at the periphery bearing

upon the end of the axle. It is believed that these defects have been remedied to a great extent, and so as to secure the practical success of this improved car. Improvements in the box containing the friction wheel and the oil, have also been effected.

It is evident, that the durability of the road and of cars, and especially of the wheels, would be promoted by the use of springs interposed between the load and the running gear. This precaution would also increase the efficiency of the moving power.

The concussion upon the rails, caused by the undulatory action of a rigid frame, bearing a heavy load, are very considerable, and they are greatly augmented by an increase in the rapidity of the movement.

From unavoidable deviations of the plane of the surface of the rails from that of the bearings of the car, the pressure of the weight frequently becomes transferred to three and even to only two of the four wheels, and this transfer of pressure and consequent concussion, is continually varying upon the wheels diagonally across the carriage.

The employment of springs would however, not only greatly tend to equalize the pressure under these varying circumstances, upon all the wheels; but would likewise greatly lessen the concussion and its effects.

It has been found absolutely necessary to the comfort of passengers, that carriages used for their conveyance, should be mounted upon springs, or upon some equivalent elastic fixture. Now the jars and concussions that would destroy the comfort of the passenger, become increased with a load of stone, minerals, or of agricultural products, or with any other loading having a less elasticity than persons, and although the articles of traffic may not be damaged, yet, the effects upon the carriage and road will be injurious.

The chief disadvantage to be apprehended from springs, is their cost, but should this be more than returned in the increased durability of the cars the investment would be profitable.

Under these considerations, it is recommended that a number of burden cars shall be furnished with springs in order to test their advantageous use in such cars.

From experiments which have been made on the Baltimore and Ohio rail road, the traction with the use of the Winans' car upon a level, straight road, was found to be the 1-45th; and making a reasonable allowance for unavoidable defects, it is believed, that in practice, the traction will be the 1-400 of the weight of the car and load.

It was mentioned in the last report, that two kinds of cars were used upon this road, and that it was intended each should receive its utmost improvement.

This subject has continued to claim attention, and will be pursued until a fair comparison can be made of the relative merits of each.

The other car works with an outside bearing and chilled boxes, and is more simple and cheap in its structure. The traction with this car, according to the experiments, was the 1-25th, which allowing for defects, may probably be increased to the 1-240th of the weight of the car and its full load.

The diameter of the end of the axle subject to friction, is the same in each of these two kinds of cars, to wit: two inches; and it is probable that a less diameter than this, would not answer in the Winans' car. The circumstances attending the wear of the parts in the chilled box car are, however, different from those of the other, and there is reason to believe, that a less diameter than at present, may be used. It is probable that a diameter of $1\frac{1}{2}$, or even of 1 5-8 inches, might be sufficient; and it so, the traction would at once be reduced from the 1-240th to the 1-295th, which would produce a gain in the effective power equal to about 23 per cent.

Experiments were also made to ascertain the resistance occasioned by a curvature in the road of a radius of 400 feet, and it was found when the Winans' car was used, to be equivalent to that which would arise on the straight parts of the road, from an ascent of 1 in 14.18, equal to 3.72 feet per mile; and of 1 in 356, or 14.83 feet per mile, when the other car was employed.

In order to test the practicability of turning the corners of streets in the improved parts of the city, with a

track of railway, experiments have likewise been made to ascertain the facility of turning a right angle in a given space, by means of the flanges of two of the wheels rolling upon the longer rail, the curved part of the track being one-fourth part of the circumference of the circle.

It was found that a radius of 60 feet, which is very little more than a calculation upon the depth of the flange would give, was the most expedient length for this object; and that the passing of a car through the curve was attended with the least friction when the wheels which rolled upon their flanges, were guided in their proper direction, by means of the flanges being made to run in a groove in the rail, whilst the shorter rail remained of the usual form.

A turn-out and curve upon this principle has been laid down at Ellicott's mills, to communicate with a viaduct which the enterprising proprietors of the extensive merchant flour mills there, have constructed across the Patuxent. To pass through this curve requires a traction of 1.49 for the Winans' car, and of 1.45 for the present chilled box car.

It is proper to remark that the flanges of all the wheels used, are chilled, and that it is necessary that the grooved rail should also be chilled, to be durable.

In making these experiments, as well as in the arrangement of the machinery, I have been aided by my assistants John Elgar and Ross Winans. The latter gentleman is now engaged in planning the machinery and fixtures for the inclined planes.

Recently a chilled box car has been constructed in such a manner as to permit the axles to vibrate. This arrangement is quite simple, and is effected by permitting the box to move backward and forward through a small arch. In this way the motion of the wheels is more free, and the axles may conform more to the direction of the radius of curvature of the road, giving greater effect to the cone, so that the resistance in curvatures, and in passing through turn-outs, will be much reduced. This car works well, and the method bids fair to be a valuable improvement.

Full effect should be given to this plan, and at the same time it should be ascertained whether both ends of the axle should be allowed to vibrate, or only one of them.

Although this modification of the chilled box car with outside bearings, may ultimately enhance its value, and bring it more nearly into competition with the Winans' car as respects the amount of traction required, yet, further experience is necessary before their relative merits in all respects, and under all circumstances, can be ascertained.

It is, however, gratifying to know, that whilst our endeavour still to improve them, implies some degree of imperfection, the present state of either of these cars is in advance of that which would be necessary to ensure the success of railways.

For the report of John Elgar, assistant of machinery, see paper marked G. annexed.

In pursuance of the public call upon American genius, made by the directors, three locomotive steam engines were produced upon the rail road, one only of which has been made to answer any good purpose. This engine was built at York, Pennsylvania, by Phineas Davis, and after undergoing certain modifications, was found capable of conveying 15 tons 15 miles per hour, on a level. It has been employed on that part of the railway between Baltimore and Ellicott's mills, and generally has performed the trip out to the mills in an hour, with four cars, being a gross weight of about 14 tons. About 5 miles of the road ascends at an average rate of 17 feet per mile.

The engine is mounted on wheels made for the common cars of 30 inches diameter, and the velocity is attained by means of gearing with a spur wheel and pinion upon one of the axles. The axles work in friction wheels, similar to those of the Winans' car. The curvatures are traversed with facility by this engine. Its greatest velocity for a short time, on the straight parts of the road, has been at the rate of 30 miles per hour, whilst it has frequently attained that of 20 miles, and has often travelled in the curvatures of 400 feet radius, at the rate of 15 miles per hour. The fuel used is the

anthracite coal, which has been found to answer the purpose well.

The performances with this engine, have, therefore fully confirmed the opinions advanced in the last annual report, that locomotive engines may be successfully used on a railway, having curves of 400 feet radius.

This engine, however, weighing only about 3½ tons, is too light for advantageous use upon ascents.

Taking into view the strength of the road where wood is used in the construction, it is believed, that it would not be advantageous to employ engines of greater weight than about 4½ tons, and the engine now upon the road affords a good index as to the requisite quantity of steam, and likewise of the proportions of the various parts, which should prevail in these that are to be constructed.

As a further illustration of the machinery and fixtures herein referred to, and now used on the Baltimore and Ohio rail road, and of the methods employed in constructing the railway, I have annexed the following drawings, executed by B. H. Lathrobe, to wit:

1st. A drawing of the friction wheel of the Winans' car showing

A vertical section of the friction wheel and box.

A lateral view of the same.

Plans of the lower and upper divisions of the box.

2d. Drawings of Elgar's improved turn-out—comprising a general view of it, and representations of its several details.

3d. Drawings of the chilled cast iron car wheel—exhibiting different parts by appropriate views and sections.

4th. Drawings of the car used for the transportation of flour, shewing—an end view, side view, and plan of the car—together with the manner of stowing the barrels.

5th. Representations of the various modes of constructing the railway employed on different sections of the Baltimore and Ohio rail road, displaying the details of construction—

Of stone sills.

Of wooden string pieces and sleepers.

Of wooden string pieces and stone blocks.

The work to be performed in the ensuing twelve months, and for the probable cost of which, estimates are annexed, marked H, will consist of the completion of the gradation and masonry on the main line to the Point of Rocks, and on the lateral road to Frederick.

The completion of the two tracks of railway to the Potomac at the Point of Rocks, and of the single track to the city of Frederick, together with the necessary depots.

The requisite stationary machinery to be placed upon the inclined planes at Parr's ridge.

The continuation of the railway within the improved parts of the city.

The construction of cars and locomotive steam engines, to be carried on as fast as practicable and expedient.

The location of the route of the lateral railway to Washington, which it is expected will be completed at an early day, so that the work of construction may be commenced within the year. No estimate can however, be made of the probable cost of constructing this work, until the surveys and calculations shall have been finished.

Respectfully submitted,

J. KNIGHT, chief engineer.

STEAM BOILERS.

Treasury department, October 12, 1831.

The house of representatives, by a resolution of the 4th of May, 1830, directed the secretary of the treasury to collect and communicate to the house such information, and report his views on the same, as, in his opinion, regulations for the navigation of steam boats or steam vessels, with a view to guard against the dangers arising from the bursting of their boilers.

Such measures were accordingly taken as were thought best calculated to obtain the requisite information. But, although some highly interesting and valuable communications have been received, the department has not suc-

ceeded in collecting the facts sufficient to enable it to fulfil the directions of the house.

In consideration, therefore, of the difficulty of obtaining the requisite information, by any means within the power of the department, and of the deep interest which the community, and more especially those engaged in steam navigation, have in the subject, it is thought best to make this public application to all who may be able, and are disposed, to promote the benevolent object of the resolution.

Accidents, like those which it is the desire of the house to prevent, have, unfortunately, been so numerous that many persons will have it in their power to state the causes and circumstances of such casualties; and these, collected from various parts of the union, cannot fail to be highly useful.

With a view to assist in giving that information, a precise and explicit character, the following queries were prepared.

It is not intended, however, to confine it to the points presented to them, or to the form of communication which they may seem to indicate. On the contrary, the department will be happy to receive any information within the scope of the resolution, and communicated in such manner as the writer may be pleased to employ.

It is desirable that communications on this subject should be transmitted by the first of December, or early as may be thereafter.

LOUIS McLANE, *sec'y of the treasury.*

Interrogatories in relation to the bursting of steam boilers.

1. Are you acquainted with the nature and use of steam engines? In what employment have you been engaged? Were you present, and in what capacity, at the bursting of any steam boiler, or collapsing of a flue; or have you been made acquainted, by other means, with the facts in any such case? If so, in what case?
2. In that case, was the water in the boiler above the gauge cocks? If not, at what height, compared with the lower gauge cock?
3. If the boiler contained a flue, what was the difference between the height of its upper side and that of the lower gauge cock?
4. What was the weight per square inch on the safety valve?
5. Had the safety valve ever been found rusted or sticking in the aperture, or was it so at the time?
6. Had that part of the boiler above the water ever been heated to a red heat, or approaching thereto?
7. Was there any incrustation or sediment found at the bottom of the boiler? If so, what was its thickness and composition?
8. In what part was the boiler rent, and what was the appearance and extent of the rent?
9. If the bursting happened to the boiler of a steam boat, was the boat under way, or at rest? Was the valve open? If so, how long before the accident? Was it opened by the engineer, or by pressure?
10. Was the piston going at its usual speed, or faster, or slower?
11. Had the firemen found any unusual difficulty in keeping up the motion of the engine previously to the bursting of the boiler; and, if so, how long before?
12. Do the iron boilers used in the western waters generally accumulate a calcareous incrustation at the bottom? If so, have any or what means been used, with success, to prevent it?
13. Is it observed that when there is a sediment or incrustation on the bottom of the boiler, it requires more fire than usual to raise the steam; and how often is the sediment removed, and by what means?
14. Are any means used for preventing incrustation on the bottom of boilers; and, if so, what effect has been observed?
15. Have any means been employed to prove steam boilers before they are used or afterwards, and what pressure has usually been applied to iron of a given thickness? Are the proofs made when the iron is cold or hot?
16. Is there any instrument employed to ascertain the temperature of the boiler above the water, or of the steam in the upper part of the boiler? If so, what is it?

17. What means are used to prevent the fire from the fire place and flue from extending to the boat?

18. Have you ever seen steam boilers heated to a red heat on the upper side? If so, is such a temperature regarded as a cause of exploding the boiler?

19. Have any means been used, in the construction of boilers or fire places, to prevent the heating of the upper part of the boiler? If so, what are they?

20. How many persons were scalded by steam, and at what distance was each from the boiler? At what distance from the boiler was the steam supposed to be hot enough to scald? Was the current of steam from the rent in the boiler instantaneous, or did it continue for some time, and how long? What number of persons were wounded by the parts of the boiler or machinery, which were driven off by the explosion, and what position did each of such persons occupy in the boat?

21. Have you ever observed the piston to move irregularly for a few minutes, or for a few strokes, alternately faster or slower than its usual speed, without perceiving any change in the resistance to the pistons, or any other obvious cause for such irregularity; and, if so, how it was accounted for?

22. To what immediate cause have you attributed the bursting of the steam boilers, which have come within your knowledge?

23. Are there any other facts within your knowledge, in relation to this subject, which appear to be important in the present inquiry? If so, please to state them.

THE FRENCH CHAMBER OF DEPUTIES.

[This debate is published as a specimen of the course which debates sometimes take.]

We have already published some particulars of the storm which occurred in the French chamber of deputies on the 15th of August. A long discussion had taken place on the address to be presented to his majesty, and had turned in favor of the ministers. The amendments of gen. Lalayette relative to Italy and Poland had been rejected, and the sub-amendment of M. Bignon, and the additional amendment of M. Felix Bodin, were under discussion.

After the keeper of the seals had spoken in favor of the amendments of M. Felix Bodin and M. de Tracy for that of M. Bignon, the president upon the unanimous appeal of the chamber, declared the discussion closed, and was proceeding to put the amendment of the latter to the vote, when several members insisted that according to the rules of the chamber, the sub-amendment of M. Felix Bodin should be put first. The president, however, maintained the contrary, notwithstanding which, many members persisted in their demand that the sub-amendment should have the precedence. In the midst of the confusion arising from this opposition, the president of the council rose to speak, but was immediately stopped by the cry of "order, order! The discussion is closed."

The president of the council. I demand to speak. Voice on the left. The discussion is closed.

The president. The proof has not yet commenced. The centre. Read the regulation, (great agitation.) M. Teste, with emphasis. Read the regulation yourself. No one can speak when the discussion is closed. M. Guizot. I demand to speak upon the state of the question.

M. Marshal. The president ought to see that the regulation is enforced. He does not do so.

M. Guizot. When a minister demands to speak, he ought to be heard.

Voices at the extremities. He is too late; the debate is closed.

M. M. Briquerville and Enuof address themselves energetically to the president of the council, who has ascended the tribune, where he is waiting calmly, till silence is established.

M. Briquerville. As a deputy, the president of the council has no right to speak, and he has no more right as a minister. (The tumult increases.)

M. Dupin. The discussion is closed upon the merits of the case, that is clear; but the minister demands to be heard upon the state of the question. (Noise.)

M. Dupin and several other members spoke all at once, and with different intentions. "The regulation,

read the regulation." (The disorder increases every minute.)

M. Demareay, (ascending the tribune, and addressing himself to M. Casimir Perier.) If you will allow me, I am going to speak upon the reference of the resolution.

The president. Gentlemen, you are unmindful of the dignity of the assembly. Listen to the speaker who is at the tribune.

M. Dubois. But the discussion cannot be re-opened upon the merits of the question.

M. Dupin. The president of the council does not intend to speak upon the merits. Listen to him.

M. Roule de Fontaine. I maintain that a minister ought always to be heard.

The president. The president of the council has alone the right to speak, and I demand it from him, (violent tumult.)

M. Casimir Perier. I ask to be allowed to reply, and I have a right to it.

Voices at both extremities. We have told you a hundred times the discussion is closed.

The president. The president of the council demands to speak on behalf of the regulation.

M. Casimir Perier. I speak not on behalf of the regulation, but on behalf of the charter, and for the charter. (New exclamations on the left.)

M. Odillon Barrot. You invoke the charter against the regulation; at another time, perhaps, you will invoke the regulation against the charter. (Immense uproar.)

M. Casimir Perier. I am a minister of the king, and I claim my right. (The tumult increases.)

The president. This question is a very serious one, and ought to be discussed with calmness. (Hear, hear.) It is a question of the greatest importance.

M. Dupin. Read the charter, a minister has always a right to be heard.

The president. It is for the chamber to pronounce if the question shall be put. (The agitation subsides.)

M. Casimir Perier. It is impossible, under present circumstances, in respecting the rights of the chamber, that I should not insist, upon the chamber's respecting the prerogatives of the king's ministers. I demand in conformity with the terms of the charter—

(Here the agitation is at its height; cries are heard from all parts of the assembly. The voice of the president is completely drowned in the shouts of "Go on, go on.") "Silence, you have no right to speak." "You have."

M. Bayoux. You wish to violate the regulation in the name of the charter. (Violent agitation on the left, many members get on the benches, and protest with great energy.)

M. Casimir Perier. You cannot deprive me of the right of being heard. I am a minister of the king.

M. Odillon Barrot ascended the tribune, on the opposite side to that of M. Jollivet.

M. Casimir Perier, (turning to M. Odillon Barrot.) Sir, this is a question of power.

M. Odillon Barrot. You exceed your powers.

M. Royer Collard. I wish to explain the precedents of the chamber; the same difficulty has already arisen several times. (The noise increases.)

Door-keepers. Silence, gentlemen.

Several voices. No, no, no silence.

M. Casimir Perier. I have a right to speak, and I insist on it. Clamour cannot move me. (Fresh uproar on the left.) I repeat again, I insist upon my right, not in virtue of the regulation, but of the charter. (No, no.)

The deputies at both extremities rise en masse, and with so much energy, that a sort of panic reaches to the tribunes. The noise is heard out of doors, and gives rise to a great many odd conjectures.

M. Jousset clammers up the tribune, through the midst of the deputies, and calls out, "The rights of the chamber must not be violated."

Voices at the extremities. "This does not intimidate us."

(Here the hon. member approached so near to M. Perier, and spoke with so much warmth, that several deputies thought he was going to seize him by the collar.)

M. C. Perier. Will they employ violence against me?

M. Prunelle. This is scandalous; never was any thing like it before.

The president having uselessly rung his bell, and seeing the impossibility of obtaining silence, covered himself, and said a few words which we could not hear.

The chamber adjourned for an hour, in the midst of extreme agitation and expressions that we dare not repeat.

At three quarters to 7 o'clock the chamber met again.

The president. It was with great regret that, after having used all the means in my power to obtain order in the chamber, I was obliged to use the last resource allowed me. The chamber will feel that some delicate questions must arise, and will listen with calmness to the speakers, and decide as is their duty. Similar tumults will render a representative government impossible.

They will convert this place into an arena for the display of angry passions, where only the interests of France ought to be attended to, and discussed with dignity.—

(Applause.)

A member. It is now past 7; the sitting ought not to be continued.

The president. The sitting is adjourned till to-morrow.

The deputies continued to discuss among themselves, and retired in the midst of great tumult and disorder.

The following are the amendments offered by general Lafayette.

"Amendment 1st.—The occupation of the states of Parma, Modena, and Romagna by Austria, justly awakened the susceptibility of the nation. Though we cannot but consider this act of foreign invasion as a violation of the independence of these states, and of our avowed principle of non-intervention, the evacuation of a part of these states, though tardy, proves that the voice of your majesty has at length been listened to. We have a right to expect that this retreat is final and complete. We take pleasure in hoping that the promises obtained by your majesty of a real amnesty, of the abolition of confiscation, and of genuine ameliorations in the administrative and judiciary systems will be faithfully performed; that the amnesty will be general and sincere; that all captives will be set free without exception; and that henceforth humanity will cease to mourn over the fate of men who, like ourselves, have been desirous of liberty; and that France will at all times show herself faithful to her policy, and to the present principle of her social existence.

"Amendment 2d.—There is another sentiment which fills and agitates all our hearts—it is that which is excited by the unhappy fate of heroic Poland. France is grateful to your majesty for having offered your mediation, and for having endeavored to induce other governments to join you in this great act of policy and humanity. Alone has this admirable nation contended against the rage of its enemies and the malevolence of its neighbors. Let us then, alone, if necessary, fulfil towards it the duty we owe from our brotherhood, which is at the same time the duty of all Europe. Let us remonstrate with energy against those trammels that, contrary to the laws of nations, intercept our communications with it; and in order to render the mediation of your majesty more regular and efficacious, let us hasten to yield to the acclamations of France, and by receiving the Polish legation, acknowledge their glorious independence both in right and in fact, acquired at the loss of the remains of that noble blood which has been so generously shed for us." The hon. general said that his amendment was dictated by the known sentiments of the population of Paris, by those of the national guards of France, of the army, and, in fact, of the whole kingdom. The only objection made to it was, that it amounted to a declaration of war, and would be a violation of neutrality; but this had been already committed by Prussia, in affording succour to Russia. The independence of Poland was not a new conquest, for it had been guaranteed by the congress of Vienna, and it only remained for France to acknowledge it, and it would be secure. His motion presented no danger, for it was consistent with the rights of nations, and in conformity with positive treaties.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 10—Vol. V. BALTIMORE, NOV. 12, 1831. (Vol. XLi. Whole No. 1,051)

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

The present sheet contains the Address to the people of the United States, by the convention of the friends of domestic industry, which met at New York on the 26th ult.—and, it being ordered by the permanent committee that the publication should first be made in that city, this number of the REGISTER has been held back, to allow time for it—pamphlet copies having been forwarded to all the newspapers in New York by Friday's mail. The address would have issued several days sooner, but for the indisposition of the gentleman to whose revision and care the manuscript was committed, and hence the delay in our own publication of it.

Copies of the Address, and of the Journal of the proceedings of the convention, are now being packed—for the use of the members and others, as directed, and will be immediately transmitted.

To what may be regarded as the official copy of the Address, as attached a list of all the members of the convention, (with their respective post offices), of whose attendance the secretaries were duly informed. The list inserted in the last REGISTER was not entirely full,—and some other errors or omissions occurred in that number, (without any fault in the person having charge of it), which might not have happened, if the editor had been at home in season to have corrected or supplied them. But it is hoped that the pamphlet publications now made will be found as nearly accurate as the nature of the case will admit of. It is well known to every attending member—that the list of names, as originally published, was very incorrect, and that the secretaries had no regular opportunity to remove all the errors. Some two or three names may appear wrongfully, and a few be omitted; but the principal secretary has given every name to which either the payment of the small contribution imposed, or the residence in New York, was attached. These were the only guides that he had; and hence his earnestness that they might be sufficient.

It will be seen in the pamphlet copy of the Journal that references are made to the "Appendix," for the reports. These, as they are received and examined by the permanent committee, will generally be given out for publication in the newspapers, that the circulation may be more prompt and extensive; but they will be gathered and published so as to bind up with the Journal and Address, to be followed by a body of Statistics, as soon as they can be prepared—and the whole will make a handsome volume for common reference and use;—which shall, with all promptitude, be transmitted to the members of the convention, and to others, as may be thought expedient; especially to distinguished official gentlemen of the national and state governments, members of congress, &c.

As one of the leading objects of the Statistics will be to demonstrate the principles and facts uttered in the Address, it is exceedingly desirable that the several committees should make as early reports as the nature of the important matters submitted to them will allow. Both principle and fact is with us; and it is not necessary that, on our part, any thing should be left to speculation—as to the right or expediency of the AMERICAN SYSTEM.

The Address claims and will receive an attentive perusal. We have also published the speeches of Messrs. Ellsworth and Brown, concerning trials up the revenue—for they are plain and practical expositions of very important things. There are reports of several other speeches which we shall probably copy.

The committees, and other members of the convention, are respectfully informed, that communications, on the business of the convention, may be forwarded to Hezekiah Niles, chairman of the permanent committee, Baltimore, by mail—the postage on which will be charged by him to the general fund.

Vol. XLi.—No. 13.

LATE FOREIGN NEWS.

Arrivals at New York bring Liverpool dates to the 1st October, inclusive.

ENGLAND.

The reform bill has passed the house of commons, and is now pending in the house of lords, where doubts exist of its passage. All classes in England are petitioning for its success.

FRANCE.

The excitement in Paris has subsided, and notwithstanding the fall of Warsaw, the ministers still maintain a majority. The chambers have granted them 18,000,000 francs to be advanced by them on loans in aid of commerce, manufactures and internal improvements.

POLAND.

The Polish army did not surrender on the fall of Warsaw; are now at Kunow under gen. Roziski, who has issued a most animated proclamation to the people of Poland, inviting them to rally. The efficient force of the Poles is between 50 and 60,000 men, determined on resistance. The loss of the Russians in the assault on Warsaw is rated at from 12, to 20,000, that of the Poles about half the number of their assailants. The cholera still raged in many parts.

BELODIE.

A treaty between Holland and Belgium was to be signed on the 10th Oct. Holland is to give up Luxembourg for a consideration, which is to be paid by Austria and Prussia. Leopold was making a tour.

PORTUGAL.

Don Miguel was glutting his vengeance by daily executions; 44 persons had been shot, and about 1,000 condemned to death. The crews of some of the Portuguese men of war had declared for Donna Maria. In the island of Madeira great excitement prevailed, and the foreign merchants were in great danger and alarm.

SPAIN.

This country is in a very feverish condition, and several persons had been arrested.

SWITZERLAND.

The diet of Basle had required full and entire amnesty for the persons proscribed in January last.

GREECE.

At the request of the president, Capo d'Istria, the Russian fleet pursued the Greek fleet into Poros, where it had been burnt by admiral Miaulis, to prevent its falling into the hands of the Russians. The Russians pillaged Poros twenty-four hours after it surrendered.

MOROCCO.

An insurrection took place in Morocco in the latter end of August—the emperor was forced to retire to Maguinez, where he was shut up by the revolted, who refuse to negotiate with him.

FROM HAMBURG.

An arrival at Philadelphia brings dates from Warsaw to the 13th September. The grand duke Michael, on entering Warsaw, addressed the citizens, stating, that all requests from the people were to be made to him, direct. He took up his residence in the royal palace, where, it is also said, field marshal Paskevitch will take up his residence. Praga was also occupied by Russian troops. A cessation of hostilities had been entered into for a fortnight, and until the pleasure of the emperor of Russia can be received. The Polish army were still at Modlin, under the command of gen. Ribinski, gen. Malakowski having resigned the chief command.

The counsellor of state, Engel, who had been commissioned by the emperor Nicholas to organize a provisional government in Poland, was expected to arrive in Warsaw on the 13th of September.

There is no positive intelligence of the present residence of gen. Skrzynski, but he is supposed to be in the neighborhood of Cracow, in Galicia.

General Wilt had been appointed governor of Warsaw, and baron Korff city commandant. The governor issued a proclamation, directing the inhabitants to deposit all arms in their possession in the arsenal, within 48 hours, under the penalty of being tried and punished by a court martial. The Warsaw Gazette of the 10th of September, re-publishes the proclamation of the emperor of the 29th of July. There was, on the 13th of September, 60 Russian generals in Warsaw. The municipal council still continue to perform their official duties.

On the night of the 10th, between 11 and 12 o'clock, the criminals imprisoned in the inquisition house, called the powder house, attempted to execute a plan they had formed to liberate themselves. The police guard stationed there, assisted by many citizens of the national guard, made great exertions in overcoming the prisoners. Some shots were fired, which wounded 4 and killed 1 prisoner.

It is expected that bank notes will continue in circulation.

The price of the hypothèques (public funds) has advanced, and are now selling again at 86½. For some months past no silver coin has been seen in Warsaw; much is again in circulation.

For the week past, the cholera had demanded but few sacrifices—many soldiers of the Polish army, fully cured, left the hospitals on the 9th. But subsequently several persons were attacked with this disease. In all the military hospitals, the wives of the citizens, and the inspectors still render the most active assistance. A great many Polish families are still at Kraham; the communication between Galicia and Kraham will be again opened; a great number of the wounded have been at Krazawiec during the summer.

A great part of the barricades and palisades were destroyed on Thursday. Forty-eight houses were burned in the suburbs of Warsaw during the battle of Tuesday and Wednesday.

NEW YORK CONVENTION.

Tuesday, November 1. The report of the committee on frauds on the revenue having been read—

Mr. Ellsworth, of New York, moved to recommend the report which had just been read, as the committee who made it were promised a communication of very important results from the custom house. The manufacturers, he observed, ought to know that they were suffering under the effects of a great evil of which they were little aware. He had retained his seat until now, hoping that some other member of the convention would introduce the subject, but as no one had done so, he felt it his duty to speak. He had been a merchant in this city for these last sixteen years, and chiefly engaged in the sale of cloths, and his experience had taught him, that the manufacturers of cloths here actually enjoyed a protection of no more than from forty to forty-five per cent.—a fact which arose from the constant and flagrant violation of the revenue laws. A foreigner arriving on our shores needed no other introduction than an invoice of goods to the amount of two or three thousand pounds sterling, to obtain for him at once the aid of a powerful combination existing here, all of whom would give him every possible facility to get his money and go off with it, after having grossly defrauded the government of the country. This difficulty arose from the immense quantities of cloths invoiced, as having cost from six shillings to six and eight pence, or six and nine pence sterling a yard, when in fact they had cost from nine to ten shillings. All the merchants were perfectly aware of this. Mr. E. said, he had lately been called upon by the collector to examine an invoice of twenty bales of goods, all entered at the rate of six shillings and eight pence, or six and ten pence; and before he had examined ten pieces, he came to cloths worth eight and nine and ten shillings. What was the effect of such false

entries? The tariff law declared that goods costing six and eight pence abroad, should pay a duty of 67½ cents a yard—while those costing nine shillings, must pay \$1 70 cents. This difference caused the government to lose no less than \$400 on every one of those bales. It was thus that our manufacturers were deceived and betrayed. They would have a sample of English cloths put into their hands, and be told the price which it cost. He would say, I can make this article at a profit, and he would thereupon go and invest capital in producing the goods. He would then bring them into market, and what did he meet? A market overflowing with goods worth 9 shillings sterling, selling at the price at which such goods can be afforded when paying duty on six and eight pence, and the reason was that not one piece in one hundred had paid the duty charged upon it by law.

If gentlemen asked how could such a state of things exist and no remedy be applied? the answer was that the state of public feeling was so highly wrought up against the American manufacturer, and in favor of the foreign agents, and their importations, that the collector though nowise wanting in honesty, diligence, or zeal, was defeated in every attempt to stay the evil. He had been so goaded and harassed by public and private attacks, that he had been actually disabled from putting the laws of the country in force. This surely was wrong, and the state of public feeling was an erroneous one. The laws were suffered to be daily disobeyed—and the foreign agent, whose interests were at home, and who regarded neither God nor man, provided he could only get his goods through the custom house, laughed at the idea of any moral obligation to restrain him. He did not speak of respectable and upright English or French merchants; far from it; they groined with our own citizens under the oppression of this system of fraud and wickedness; and had actually been driven from the ground of competition and obliged to abandon the importation of this species of goods. He addressed himself to manufacturers who were suffering under the gnawings of a secret canker worm that was eating out the vitals of their profits. They were told that the English could afford to sell cloths of the same value as cheap as they could—and the selling price was compared with the quality to prove it. Very true; but not if the lawful duties were paid on the goods. The auction system was the great engine of destruction to American industry by which these fraudulent proceedings were effected. Until very lately it was the practice to send one bale in every twenty to the custom house to be examined, and the remaining nineteen on the same day to the auction store—to be scattered, before next morning to all the winds, and without any marks by which they could be recognised and traced. In the mean while the other bale lay in some cases three or six months before it was examined. The goods were then found to have been undercharged, and what was the consequence? the only remedy was that, that one bale was forfeited, while the government had lost \$400 of revenue on each bale, and the manufacturers so much of protection.

Mr. E. went into a further statement in relation to the pernicious effects of the auction system. It was the means of pressing in upon the market all the overstock of Europe. When the foreign manufacturer had sold 80 per cent. of his goods and had the rest lying on his hands, he sent the balance here—this refuse and surplus was received by the great auction engine, and disposed of at any price it might bring—in addition to this, the surplus of what had been sent into foreign markets by speculators, after laying there unsold, came here and was crammed through the auction into our market. Bales of goods that had lain long in Mexico, were re-shipped and sold here for any thing, no matter how little.

It was very true that for some months back the collector had been more rigid in his enforcement of the law; the public sentiment was relaxing. It had been ascertained that the frauds were so gross that he had been induced to have all the bales examined, instead of one, of twenty; and the consequence was, that in six months, 2,400 pieces of broadcloth had been found undercharged, by false invoices. Let then the newspapers which have so long teemed with abuse, cease to cry "there are no frauds!—there are no frauds." To one individual in this city, who had faithfully exposed

*In explanation he said he had had no reference to the effect of the duty on wool. When that was considered, the present tariff did not operate as a protection to the manufacturer of twenty-five per cent.

this inquiry until he had been publicly denounced, the manufacturers of this country owed a deep debt of thanks. (Applause.) Let those gentlemen calculate the difference of duty received on these 2,400 pieces, and they would find that within six months it amounted to the sum \$48,000. Manufacturers, listen! cried Mr. E. in six months you would have been defrauded of your protection to the amount of forty-eight thousand dollars. (Applause.) With such a state of facts openly proved, it was idle to sit and spend time in talking about raising or lowering the tariff. The tariff was almost a nullity. In the face of all its provisions the manufacturer did not in reality enjoy a protection of more than forty or forty-five per cent. The owners of more than half of these twenty-four hundred pieces said not a word about the matter, but quietly paid the duty. But had they not, a few hours before, sworn that the valuation of their invoices was just and true? And what could gentlemen make of this but perjury? A few hours after taking the solemn oath required by the law, they walked up to the custom house and paid an additional duty of a dollar a yard. Did any gentlemen enquire why this thing was not prosecuted to conviction? The answer was forfeited? The answer was the same. The same mistaken current of public opinion entered and influenced the jury-box which prevailed upon change, men thought the law rigorous and severe—they considered it hard that a man should forfeit a large amount of property for a mere attempt to evade an enormous duty. In two years there was but a single case pursued into a court of justice, although 500 packages had been fraudulently entered within six months. If the merchant prove by the oath of a single witness, that the cloth cost only 6-8 in England, it was in vain the prosecutor brought fifty competent witnesses to swear that it was worth 10s. a yard. A gentleman who was a perfect judge of cloths had been on a jury in a case of this kind, a perfectly clear and plain case of fraud—seven jurors were so convinced that they thought it would not be necessary to leave the box, but on retiring to the jury room, they discovered that the other five were against them, and though they remained 36 hours together they could not agree. The merchant had produced the oath of his clerk in England, that the cloth had cost but 6-8 a yard. This occurred in a neighboring city.

If such testimony was to be admitted, there was an end of the tariff. Oaths of that kind could be purchased in England at 6d. a piece, by the cart load. In a case where he had been called to testify as to the value of the goods, the cause had been taken to court and adjourned from term to term, to allow time for the merchant to get more English oaths that the cloth cost but 6s. 8d. Mr. E. said it more talent and energy were not brought to the aid of the government in enforcing the law, the tariff would become an absolute nullity. The best legal talents in the country ought to be employed. It had not been a great while since a merchant told his neighbor what very cheap cloth he had purchased. He showed the cloth which he had purchased at \$3 50 a yard. The question immediately arose, what duty that cloth had paid? for from its quality it was clear, that if the duty due by law had been paid, the importer could have made no profit on the goods. A number of gentlemen determined to investigate this case. They took the marks of the cloth; they knew the name of the importer, and they enquired at the custom house what the cloth had cost? The answer was 7 shillings sterling. They reported these facts to the collector; in consequence of which he had been induced to substitute a stronger enquiry. The cloth was so cheap that an Albany merchant had paid on the spot one dollar a yard more for it, and had doubtless sold it again at a handsome profit. The history of that piece of cloth he believed fully to be the true history of thousands and tens of thousands annually imported into this country.

Mr. Brown of Boston—I rise Mr. President to correct the statement of the respectable gentleman who last spoke. He fixed the rate of protection to the manufacturer at forty-five per cent. Now as that gentleman has shewn that 7-8ths of the cloths imported into New York, are for foreign account, and that large quantities of them costing from 7s. 6d. to 12s. pass this custom house paying only 67½ cents per yard duty, then, if a

cloth costing 9s. in England with the charges added, is entered by paying a duty of 67½ cents, it will be perceived that the protection is far short of forty-five per cent. and on higher priced cloths it will not be 25 per cent. Within the last five or six months, he knew, there had been imported a million and a half of dollars in value of broadcloths alone, by four of these foreign concerns, or by consignees of foreign houses. A vast proportion of these were entered as costing 6s. 9d. and were subject to a duty of 67½ cents. If these goods cost, including charges, 9s. and paid a duty of only 67½ cents, it was obvious that the American cloths could not come into competition with them. The actual amount of protection afforded by the tariff would be nothing like forty-five per cent.—it would not be above 25 per cent.—the duty paid by the manufacturer on coarse wool added to his burthens. He was altogether in favor of the duties on wool, and would on no account have them reduced, he would not wish even the duty on coarse wool to be repealed, because the farmers thought it would interfere with their protection. The present duty on wool was imposed, he thought,

to protect the farming interest, and, in a few years, would prove a benefit to the manufacturers. The wool now grown in the country was almost equal in value to the great cotton product of the south; and in five years, would infinitely exceed it.

But it was necessary to the encouragement of the wool-grower that the manufacturer should succeed. If manufacturing became a losing business, there would be no demand for wool. The present amount of protection afforded to the woollen manufacturer was counterbalanced by the duty on imported wool. I could manufacture to more advantage, said Mr. Brown, under the tariff of 1816, than under that of 1828; for the duty on wool was then lower, and *that* then paid on cloths was a better protection. The law of 1830 was enacted to carry into effect the provisions of the law of 1828. It provided very clearly that the goods entered with intent to defraud the revenue should be forfeited. But the courts had allowed testimony to be introduced as to the cost of the goods at the place whence imported; and this testimony was held to do away the fraudulent intent. He knew of no remedy for this but to adhere to the law. The law of 1828 says, that the duty shall be estimated "upon the true market value of the cloth in the country where it is made;" the cost of the cloth to the importer had nothing to do with it. Yet, it was decided, that the evidence of the cloth, costing no more than the sum at which it was invoiced, did away the fraudulent intent. The two or three thousand pieces of cloth, which, upon the late examination in this city, had been found to be undervalued, had not been forfeited. The importers were suffered to take them away upon the payment of the same duties which honest men paid at first. It appears to me, said Mr. Brown, that no discretionary power is left with the collector. He is bound to proceed against the goods as forfeited. As long as the attempt to defraud goes unpunished, the frauds will continue to be repeated.

There had grown up a practice to prevent the wool-grower and manufacturer receiving the protection intended to be given to them by congress. Mr. Secretary Rush had misconceived the law, which expressly made the duty on cloths an ad valorem duty, whereas it was now assessed as a specific duty, thereby decreasing the duty ten per cent. less than was intended by the law. It was foreseen, at the time, that the one dollar minimum would lead to the very difficulties which have occurred. Your committee, however, were unwilling to disturb the law of 1828, believing that the woollen manufacturers will find adequate protection if the provisions of that law were duly enforced. An impetus has been given to the raising of sheep, by the protection afforded to wool, and the competition would, in this case, as in all others, reduce the price.

Mr. Core here enquired what was the proper remedy for the defects in the law: would forfeiture, or a valuation of the goods here, best serve to prevent frauds?

Mr. Brown replied that a valuation here, would effectually remedy the evil. But the committee had not recommended that course, because it was not the feeling

of the convention to involve congress in a discussion of the whole tariff system, as such a proposition would necessarily do. He also stated, that the present rate of duties, would be found too high, if applied to the value of the goods here. They would amount to a prohibition. For his own part, he would not oppose a prohibitory duty. He believed the country would be the gainer by it. The duty on many articles which entered into manufactures, was already prohibitory; and he instance chemicals, which although they might seem to some a small branch of manufacture, it was not so; they were a very important branch, which had incidentally grown up, and had been called into existence by the larger and more important manufactures, requiring the importations of near ten thousand tons of crude brimstone, and probably two thousand tons of salt petre. The acids were made from these articles, and were used in immense quantities, in the bleaching of cotton goods, and in calico printing. The duty on these acids is four cents per pound, and the price they were sold at was four cents per pound. — ~~that in this case, and in many~~ ~~other cases, you would name, the country had been~~ ~~prepared to recommend prohibition, and as the duties~~ ~~would have to be lessened on cloths if the valuation~~ ~~was in the port of importation, it would involve the~~ ~~whole question of the tariff, which he had considered~~ ~~would be inexpedient at this time—the present law should~~ ~~be enforced, which in Mr. Brown's opinion, would~~ ~~answer the purpose.~~

Mr. Coxe then asked whether the city of New York was the only place where the revenue laws were evaded. To this, Mr. Brown replied that there had occurred a few cases in Baltimore; one case wherein cloths appraised at 9s. were entered at 6s. 9d. was lately before the courts there; and, as the jury did not agree, it was not yet decided. In Boston there had been but very few cases. The goods imported there were subjected to a rigid examination. The quantity fraudulently entered there, did not amount probably to five hundred dollars in a year. It was very seldom that undervalued goods passed through that custom house; and the same might be said of the Philadelphia custom house. By far the greater portion of all the woollen goods imported were brought into New York. One importer here sold \$200,000 worth of cloths in one year. This some agent entered 80,000 yards of cloth in six months; all but 6,000 of which were invoiced at 6s. 9d. and paid a duty of but 67 3/4 cents. He knew something of the kind of goods sold by this agent to the dealers in Boston. They were of a kind which cost 2s. in England; and they were sold here at from 3 1/2 to 4 1/2 dollars a yard by the agent. He had examined them in the stores of the dealers there; and they had told him they had bought these cheap cloths of the house alluded to. It was a fact well ascertained that these goods were sold at these prices, and had been entered under the one dollar minimum.

The collector of this port had diligently sought to find out these frauds. He had, (Mr. B. believed), done all that he could do. He has adopted the plan of sending every bale of cloth to the store for examination; and, if it pass hereafter, it must be the fault of the appraiser. But of what service was it to the country if they were stopped by the appraisers, if the law was not after all put in force. If the decision to which he had alluded, which he believed was before judge Betts, were to obtain, evidence of the cost was to do away fraudulent intent. Such evidence might be easily produced, and honestly sworn to by the seller of goods abroad. Suppose, said Mr. B. a manufacturer in England has four hundred pieces of cloths, of an equal number of yards, all worth 9s. sterling, a purchaser might go to him and say, I will buy these cloths provided you will sell me two hundred pieces at 6s. 9d. and I will give you 11s. 3d. for the other two hundred pieces. Now, these cloths need not be shipped in the same vessel, or the 11s. 3d. cloths need not be shipped to this country at all. The other 200 pieces then are shipped here as having cost 6s. 9d. and if judge Betts' decision be correct, they would not be liable to the penalty of the law of 1830, for a certificate could be easily procured on oath, that the price paid for them was only 6s. 9d. Mr. Brown said

the law referred to the market value, and not to the cost of the cloth. If judge Betts' decision was correct, then every man who imported cloth into this country would attempt to land, because if he should succeed, he would save one dollar per yard duty on the cloths, and if not he would only be where he would have been had he not attempted to defraud the revenue. There were many of the dealers here, who were perfectly well acquainted with the value of cloths, and if the standard of value taken by the appraisers agreed with that taken by the dealers, there would be no danger of further evasions by false invoices. But the remedy, to be effectual, must extend to the forfeiture of all the goods which were attempted to be entered at a false valuation.

Mr. Coxe, begged leave to ask one more question. Was the duty on cottons susceptible of similar evasions?

Mr. Brown answered that all cottons costing less than thirty-five cents a yard, were taken and deemed to have cost thirty-five cents a yard. This was, therefore, the minimum valuation on which the duty was estimated. If you suppose one minimum of 10, another of 20, and a third of 30 cents, you then have a ~~case in which~~ ~~the duty on cottons would be susceptible of the same evasions~~ ~~to which the duty on woollens is now subject.~~ There was a perpetual attempt always to press to a lower minimum the cloths which ought to be entered at a higher minimum. The one dollar minimum was objected to most strenuously, at the time the law of 1828 was passed, in and out of congress; and many had determined not to accept the bill, so long as it retained that feature; and he was one of them. As he had before stated, the results expected from it had been realized. The Harrisburg convention recommended one minimum of 50 cents, and another of \$2 50. The lowest minimum, or that of 50 cents, was thus recommended from a regard to the interests of our southern brethren, who used many coarse woollens, and to this he had no objection.

ADDRESS OF THE NEW YORK CONVENTION. TO THE PEOPLE OF THE UNITED STATES. Fellow-citizens—

A numerous delegation from several states in the union have convened in the city of New York representing great national interests which they are anxious, by the most efficient but peaceable means, to defend and support. In addressing themselves to the people of the United States, they invoke their candid attention to several topics of great national importance, without assuming any authority ultimately to decide them; conscious that their reasonings and opinions can have, and ought to have, no other influence or force than belongs to their truth and soundness.

A system of laws imposing duties for the encouragement and protection of domestic industry, upon the faith of which a large portion of the people of this country have invested their property and given a new direction to their labor, and with a continuance of which are completely identified all their hopes of maintenance for themselves and their families, has been recently denounced as "distinguished by every characteristic which may define a tyranny, the most odious." The entire abolition of this system, vitally involving the interests of farmers, mechanics, manufacturers, merchants and all the laboring classes, has been demanded in a tone that offers no hope of coudition or compromise. A submission to such a demand, with or without the consent of those who must be the victims, would be marked by such scenes of ruin and despair, as no one, not blinded by the strongest passions of our nature, could witness without compunction.

We address ourselves, then, to the enlightened patriotism of our fellow citizens in every part of the union; and we earnestly entreat them to accompany us in the examination which we propose to make of the arguments and statements recently put forth; appealing to their clear discernment of truth, their high sense of duty and their calm moral courage to avert the evils that now seem to threaten the prosperity and peace of the country.

Of these topics, the first in order and the gravest in character, respects the constitutional power of congress to pass the laws, which are the subject of complaint.

As a constitutional question, the inquiry is not whether the laws are wise or unwise, whether in their operations they are always equal, or sometimes unequal, or whether individuals may not think them so wide a departure from a just administration of the powers of the government as to be, in an indefinite and loose sense, inconsistent with the spirit of the constitution. The true and real question is, do they exceed the power of the law-giver; and do they, for that reason, fail to be obligatory?

We dissent from the notion that laws plainly unconstitutional may be yet so framed as to escape the animadversion of courts of law. If unconstitutional, their true character will either appear on their face or may be made to appear by stating the facts which fasten that character upon them. And if the motives, which are supposed to have influenced congress in their enactment are not facts which may be properly inquired into to give them this character, the reason is, not that congress has executed an unlawful power or veiled an unlawful purpose under a general law, but that the general power being given to congress, to pass such laws, the purpose of the law, like its occasion, its duration, or any other part of its character, is constitutionally referred, to the discretion of congress.

The present constitution has been in operation, (with a success, not more gratifying to ourselves than surprising to the rest of the world) for forty-two years. Twenty-one different congresses, regularly elected and appointed by the people, and their agents, and the state legislatures, have successively assembled to enact laws under its authority. Seven distinguished individuals have been called by the voice of the country to the chair of the chief magistracy, all holding and some of them, on various occasions, having exercised the power of giving a negative to such acts of congress as, in their opinion, transcended the just limit of legislative authority. During the same period a supreme judicial tribunal has existed, not less distinguished for purity and talent, than for dignity and importance, whose high function it properly is to pronounce its solemn judgment on the constitutional extent of the power of congress whenever any exercise of that power is complained of and the case is brought duly before it. Most of these successive congresses have passed laws similar in character, in design, and in effect, to the acts now complained of; and all of them have unequivocally sanctioned their principle. All these chief magistrates, in like manner, have, without doubt or hesitation, recognized the existence of the power, and no question of its validity has been raised in the judicial tribunals.—It is under this weight of authority, and this length of practice in its favor, and after the investment, upon the faith of it, of a capital probably amounting to two hundred and fifty millions of dollars, that a disposition has now sprung up to deny the power altogether, and to propose, if its exercise be persisted in, a resort to such means of redress as threaten the union.

We cannot but persuade ourselves that before the American people abandon a system of laws, now of long continuance, passed at different times by the constituted authorities with the full approbation of the whole country; and especially, before they break up their government and return to a state of anarchy, on the ground that such laws are unconstitutional, they will give to that question a very careful and serious consideration.

Before proceeding to express the general views entertained on this important subject by the members of this convention, it is not altogether uninteresting to inquire, how far admissions or concessions have been made by those who deny the existence of the power, notwithstanding the general and positive terms, in which that denial is expressed.

It seems to us, indeed, that the plain object of the constitution, and the strong reason of the case, have driven those who deny the power, even upon their own mistaken view of its source, into the necessity of making admissions which, when made, leave no ground for their argument. They deny that congress can rightfully lay duties for the sole, or the main purpose, of encouraging manufactures; but they admit, at the same time, that congress may lay duties for revenue,

and that, in laying such duties, it *may so arrange them as incidentally to give protection to manufactures*. They admit, too, that congress may lay duties not designed for revenue, but designed to *countervail the injurious regulations of foreign powers*. Are not these concessions inconsistent with the main proposition? How can it be longer denied, that congress may lay duties for protection, after it is conceded that it may arrange duties with that view? It cannot be true that the power was given for revenue only, and that it ought to be strictly confined to that object, and truly, also, that, in selecting subjects of duties, regard may be had to a different object.

An individual in society is the consumer of a particular foreign article; he feels it heavily taxed by duties, while other articles, equally capable of producing revenue, are untaxed. Does it make any difference to him, whether the article necessary to him was seized on, as the main purpose of the law, with the sole object of protection, or whether it was only *incidentally selected*, in order to favor the manufacturer, while the commodities consumed by his neighbors, though equally fit subjects for a tax for revenue, are passed over in this incidental arrangement? Will not every ingenious mind at once agree that if the power to lay duties was conferred on congress for the sole purpose of revenue, it is a violation of its trust to mingle any other purpose with that, as much as it would be to substitute an entire new purpose for it? Congress cannot look with one glance to revenue, and the other to protection, if the constitution limit its power to revenue alone. When it is thus said that protection is a fit object to be regarded *incidentally*, in laying duties, but that the general purpose must still be revenue, who shall inform us how much, in the motives of congress, must be the main purpose of revenue, and how much may be the incidental purpose of protection? How high may the incidental object rise, and the law be yet constitutional; or at what point will it have approached so near the main, or the only object of the duty, as to render the law void? It may be answered, possibly, that the admission goes no farther than this, that when congress has already resolved to lay duties, then it may, as a subsequent resolution, resolve to lay them, on such a selection of articles as shall best favor manufactures. But would not such a subsequent resolution be wholly aside from the exercise of a mere revenue power? Would it not be a clear imposition of duties for protection? And might it not lead, practically, to the same consequences, since, under this admitted power of selection and arrangement, the whole burden of the government might be laid with a direct view to protection merely.

The other admission, that is, that congress may lay duties to *countervail the commercial regulations of other states*, seems to us still more decisive. This concedes, at once, that the power to lay duties is not a mere revenue power; for here is one admitted case, in which it may properly be exercised, which has no relation to revenue. Yet this is no particular or specific power. The constitution no more points out this, as being a proper object, than it points out protection. If it be provided for at all, it is because it is embraced in the general words of the grant. It is there, or it is no where. Laws, laying duties to countervail the regulations of other states, are regulations of trade. They are not only like laws of protection, but they are, emphatically, *themselves laws of protection*. They have usually no other end or design than to protect the manufacturers or other interests of our own citizens from the effect of unequal competition or monopoly on the part of other nations. Congress, then, upon this admission, may lay duties with the single object of encouraging certain descriptions of domestic employment or industry; and it remains for those who concede this, and yet deny the general power, to show how it is, that congress has power, in its discretion, to protect some classes of industry and no power, in the same discretion and by the same means, to protect others. But the admission goes still further. It not only furnishes an analogy for the case in argument, but meets and covers that identical case. The laws so much opposed, and whose constitutional validity is so loudly denied, are themselves no other than so many acts passed to *countervail the injurious commercial regulations of foreign states*.

The United States have not been the first to reject the theory of free trade. They have not introduced into the world new modes of legislation. They have not originated a system of protection; far otherwise. At the very moment they had succeeded to throw off their colonial bondage and had established their own independence they found, that their condition, so far as respected commerce, agriculture and manufactures, was but partially bettered by the change, because they found the ports of the leading states of Europe shut against their ships, and against their products. They offered free trade to all nations; but the nations, with one accord, rejected their offer. The subjects of other states were protected, as against them, by the laws of other states; but they were protected against nobody. It is undeniably true, that this condition of things was one of the very causes which led to the adoption of the present government. It is unquestionable, as matter of historic record, that one strong motive for forming and establishing the present constitution was to organise a government that should possess the power of countervailing these foreign regulations by adequate measures and thereby protecting the labor and industry of the people of the country. Countervailing laws were accordingly passed at the very first session of the first congress; others have been passed at various times since; one and all, they partake of the same character; they are all countervailing laws rendered expedient and necessary by the policy pursued by other nations. The republic is now composed of thirteen millions of people; all the principal products of eight or nine of these thirteen millions are, at this moment, shut out from the great market of consumption abroad, either by absolute prohibitions or by high duties; and it is to meet this state of things, it is to countervail these foreign regulations, so injurious to us, it is to place ourselves on some footing of equality, it is to rescue the labor of the American people from an inferiority, a subjection, at once dishonorable and burdensome, at once degrading to its character while it increases its toils, that those very laws were originally passed, have all along continued, and now exist. They are, therefore, countervailing laws and no other, in every just sense of these terms.

Having made these remarks on what is conceded by those who deny the power of congress to protect manufactures, and on the effect of that concession, we proceed to present the view which this meeting entertains on the general constitutional question.

By the constitution congress has power, "to lay and collect taxes, duties, imposts and excises." It has power also "to regulate commerce with foreign nations."

The power to lay duties is accompanied by one express qualification or limitation, which is, "that all duties shall be uniform throughout the United States." The power to regulate commerce has its limitation also, which is, that no regulation of commerce shall give preference to the ports of one state over those of another; and there is another limitation, which may apply to both clauses, namely, that no export duty shall ever be laid.

Here then is a grant of power in broad and general terms, but with certain specific limitations, carefully expressed. But neither of these limitations applies, in any manner, to that exercise of the power which is now under consideration. Neither of them, nor any other clause or word in the whole constitution, manifests the slightest intention to restrain the words so as to prohibit congress from laying duties for protection. The attempt is nothing less than to add a restriction which the constitution has omitted. Who has authority to add this? If other restrictions had been intended they would have been expressed. When the business of limitation was before the convention what was omitted was as much an exercise of intention as what was expressed. It stated all the restraints on congress which it intended; and to impose others now would be, not to interpret the constitution, but to change it; not to construe the existing instrument, but to make another.

The words of the grant being general, to lay duties and to regulate commerce, their meaning is to be ascertained by reference to the common use and import of language. No unusual signification is to be given to

the terms, either to restrain or enlarge their import. Congress, in its discretion, is to lay duties and to regulate trade for all the objects and purposes for which duties are ordinarily laid and trade ordinarily regulated. If such a thing was never before heard of as laying duties and regulating trade with a view to encourage manufactures, then it might be said that the convention did not contemplate such an exercise of the power by congress. But it was perfectly known to the convention and to the people of this country, that one leading object with all governments, in laying duties and regulating trade, was, and for a long time had been, the encouragement of manufactures. This was emphatically true of England whose language the convention spoke and whose legal and legislative phraseology was theirs also. Every leading state of Europe was, at that moment, regulating its commerce for purposes of this nature. Such a purpose, indeed, had been long sought to be accomplished by some of the states themselves, by their own regulations of trade. Massachusetts had attempted it, New York had attempted it, Virginia had attempted it, and we believe other states had done the same. How ineffectual all their attempts were, for want of union and a general system, was soon seen, and felt, by the whole country; but they slew to what ends, and to what uses the power to regulate trade was understood to extend. But not only in other nations, and in the states, before the adoption of the present constitution, as we shall have occasion to show hereafter, but in the United States since, and in the administration of this very constitution, regulations of trade have been made, in almost innumerable instances, with no view to revenue, but with a sole and exclusive regard to protection.

If our understanding of the constitution be not according to its true meaning, that instrument has been grossly violated from the very beginning. What are all the registry acts; what the bounties on the fisheries, but so many avowed efforts to protect American industry, under the power of regulating trade? On what foundation, does the whole system of the coasting trade stand? The American ship builder and ship owner has enjoyed, from the first, and we think properly, not only protection in that trade, but the monopoly of it. He shuts out all foreign competition, and he does so on the ground that the public good is promoted by giving him this advantage. We think he is right in asking this, and the government right in granting it. Yet this is not free trade; it is preference—it is protection, and protection of a manufacture, under the power to regulate trade. The laws giving this protection to the manufacture and the use of ships may be wise and laws protecting other manufactures, may be unwise. But the first cannot be constitutional, and the latter not constitutional. If there be power for one, there is power for both. Both are drawn from the same grant, both operate by the same general means, and both regard the same object, the protection, namely, of American labor and capital against foreign competition. If it be said that the navigation act is founded in national policy and that it is essential to national defence and national independence, we admit it. But we answer, in the first place, that congress could not exercise a power not granted, merely because it might be useful or necessary; and, in the second place, we say that the same remark is true of the policy of protecting manufactures. That policy, also, is essential to national independence.—Iron, hemp and clothing for sailors and soldiers are not less indispensable to national defence than ships and seamen. Not only in the general use of language, then, does the power of laying duties and regulating trade extend to the protection, by the use of such means, of domestic manufactures, but such has been the constant interpretation of the constitution itself.

We think, indeed, that when a general power is given to congress by the constitution of the United States, in plain and unambiguous words, their acts are constitutional and valid, if they are within the scope of the granted power; and that, in considering the validity of the law, the motives of the legislature can never be investigated. Having granted the power, with such limits expressed as were thought proper, its exercise, within those limits, is left to the discretion of congress.

What is the true character of the opposite doctrine? It is, that the constitutionality of a law depends not on

its provisions and enactments, but on the motives of those who passed it. Is not such a notion new? How are we to ascertain the motives of a legislature? By private inquiry; by public examination; by conjecture? The law may be passed on mixed motives: some members voting for revenue; some for protection; or one house may act with one view, and the other house with another. What will be the character of such a law?

According to his new theory, if the motives be constitutional then the act is; if the motives be unconstitutional then the act is unconstitutional also. It follows, therefore, that a law passed by one congress may be constitutional which, if passed by another, though in the same words, would be unconstitutional. Besides, on this theory a law may be unconstitutional for its omissions as well as its enactments; because, in laying duties, articles may be omitted as well as articles inserted, from a design to favor manufactures.

We may pursue this inquiry a step farther.

In order to ascertain whether an act were passed primarily for revenue, the construing power must be authorized to inquire whether that revenue be necessary. For if it be conceded that congress has a constitutional power to raise an indefinite amount of revenue, such a concession will cover any system of imposts that may ever be adopted. The right to raise more revenue than the expenses of government require implies the exercise of a power to tax under circumstances in which the raising of revenue cannot be a primary purpose, but in which a purpose to protect industry or, in other words, what has been called the incidental object, may be considered, in effect, the principal object of the tax, although veiled under the revenue power. For these reasons we say it follows as an inevitable consequence, under this view of the source of the protective power, that the constitutionality of any system of imposts, professing to be directed to revenue, must depend upon the fact whether that revenue be necessary to the government or not.

The statement of such a consequence is sufficient to show what endless difficulties must embarrass the operations of the government in defining the limits of this incidental protection, which has been alleged to be the only protection that the constitution allows, and of itself affords, what we conceive to be, an unanswerable argument against referring the right to protect industry exclusively to that clause of the constitution which authorizes congress to lay imposts for the purpose of revenue.

To determine whether any proposed amount of revenue be necessary would, in a great number of cases, prove a fruitful source of vexatious and unprofitable controversy. One party,—conceiving it wise to improve the face of their territory with expensive roads and canals, to provide fortifications and the munitions of war, and to accumulate treasure in the expectation of national difficulties,—would find good reason to maintain that a large revenue was indispensable to the nation. With this party a high and burdensome rate of imposts, fully adequate to the most extensive protection of manufactures that has ever been asked for, would be a constitutional application of the revenue power. Another party, more truly in their policy, holding that the expenditures of the government should be graduated to the lowest practicable scale of economy, would contend that nothing should be raised by duties above the ordinary supplies necessary for the pay of the public agents. With this class all the excess, above the sum that they might hold to be necessary, would be the fruit of an unconstitutional tax. Who should judge between these conflicting opinions? If such were the limits upon the power of congress it would be true, as has been said, that there might be acts in violation of the constitution which would elude the notice of the judicial tribunals; but the evident absurdity of subjecting the right to exercise fundamental powers to so vague and intangible a standard of interpretation, furnishes one of the most satisfactory proofs that no such intention existed in the minds of those who framed our constitution.

Pursuing the investigation, it will be found that the difficulty attending this notion of the source of the protective power does not end with the impracticability of determining upon the necessity of revenue. It goes still deeper. It is affirmed, and no doubt with truth,

that a reduction of duties upon the necessities or customary luxuries of a nation frequently increases the revenue. In such an event the defenders of the position that the power of congress, is limited to the supply of a necessary revenue, will find themselves unexpectedly put in possession of a surplus income which, according to the assumed principle, they had no right to raise; and it will be apparent that the people will be even more taxed than they were before; for the duty having been rendered productive of a larger amount of revenue to the government, a greater aggregate sum will have been taken from the pockets of the people; and it will then be found that congress, instead of lessening the public burthens by the reduction of duties, will have only been encouraging the consumption of a greater quantity of the taxed article. A large consumption with a small tax being, in this case, more than equivalent to a small consumption with a large tax. And thus, in spite of all the precautions which the most scrupulous guardians of the constitution may exercise, the public functionaries, against their will and with the most conscientious desire to avoid infractions of the law, will oftentimes be fated to do that which they have produced unconstitutional results. The only remedy for which would seem to be to abandon this intractable mode of taxation by imposts and resort to direct taxes upon the people.

As long, however, as such results may follow the reduction of duties, it will be seen that a system which merely increases the consumption of imported commodities without diminishing the revenue will be, in effect, the adoption of a policy for the encouragement of foreign industry. And we might here pause and ask, whether it can be supposed that the founders of our government intended to give a power to congress to adopt a scheme of policy directed to the encouragement of foreign labor by a scale of low duties, without also allowing to that body a right, when they found it convenient, to encourage domestic industry by a higher scale of duties? Let those who answer this question in the affirmative, show some reason for the opinion that the convention which framed the constitution should at more value upon a power to encourage foreign industry, under any possible necessity to exercise it, than upon a similar power to encourage and protect our own.

We think we have said enough to indicate the pernicious tendencies of the doctrine, sustained by many eminent citizens of our land, which ascribes the right to protect domestic manufactures, solely to the revenue power conferred by the constitution upon congress; and have demonstrated that this error, if adopted, must lead the public functionaries into practical embarrassments entirely irreconcilable with a wholesome administration of the laws.

With a view to show that the protection of manufacturing industry is mainly referrible to the power to regulate commerce, and was intended to be embraced by the clause of the constitution, that invests the supreme legislature with that power, in addition to the suggestions that we have already made, we deem it not unprofitable briefly to recur to the history of the country, from which we shall derive lights that may guide us to the most unerring conclusions in confirmation of our doctrine. The narrative of events from 1783 to 1787, the circumstances attending the adoption of the constitution, and the range of its early operations, whilst yet in the hands of its authors, afford a mass of testimony that congress has but responded to the expectations of the country in so regulating trade as to furnish the requisite protection to the expansion and growth of our own labor.

The regulation of commerce was not a new term invented by the framers of the constitution. It was at the time of the adoption of that instrument by the people a term familiar to their apprehension and impressed upon their understandings, by the strongest comments that the history of oppression could furnish. The war of the revolution, that had just closed, sprang out of the conflicts in which this subject had been presented in the countless forms which an engrossing topic of complaint may be supposed to assume in the discussions of an excited and rebelling people. The same subject had been canvassed in the British parliament until argument and declamation were exhausted. The mother country had

regulated the commerce of the colonies, through a series of odious and interfering restrictions, for more than a century, until the phrase had acquired the notoriety of a hateful grievance. She had lettered their trade by cruel prohibitions, and controlled their labor by systems of denial that reduced them to the lowest state of suffering; yet it is remarkable, that, deeming this oppressive policy a lawful exercise of the prerogative of regulating commerce, the colonists submitted to these evils with a resignation that indicated their sense of the duty of obedience to an acknowledged, though misused power. All manufactures calculated to bring wealth into the country, were strictly forbidden; the erection of furnaces, for example, was denounced as a nuisance, and these establishments were liable to be shated by that name: it was declared unlawful to export the simplest fabrics, even of shoes or hats, from one province to another. Still the people did not deny the legality of these attempts to regulate commerce. But when the right was assumed to collect revenue in the colonies for the benefit of the mother country, the first assertion of such a principle was met by open rebellion. The distinction was palpable enough.

At a worthy of remark, that lord Chatham, in 1765 in the British house of commons, distinctly defined the two branches of power in terms that literally apply to the subject we have been discussing, and which show how clearly they were brought to the notice of the country: 'there is a plain distinction,' is his language, 'between taxes levied for the purpose of raising a revenue, and duties imposed for the regulation of trade, for the accommodation of the subject; although in the consequences, some revenue might incidentally arise from the latter.'—Indeed, the whole tenor of the public discussion on those subjects, so rife at that period throughout England and America, furnishes the most conclusive evidence that a specific idea was attached to the phrase incorporated into our constitution, and that its scope was to include the idea of levying duties in such a form as to encourage and protect, or, at least, to control and direct the growth of domestic industry.

The complaints against the articles of confederation, for which the constitution was substituted, embraced, amongst other things, an objection to the forms by which the legislation in reference to the regulation of commerce was impeded; and it was a prominent design of the new constitution to remedy this defect. The right to lay even prohibitory duties was freely admitted in the discussions upon the constitution; and we may safely affirm that the whole nation, at that day, regarded such a power as one of the necessary conclusions from the grant that had been made. The subsequent action of the government corroborates this idea. The first approaches of the people to their new rulers were made in behalf of the exercise of a protecting power in favor of their industry. They spoke of the injury they had sustained under the former state of things; of the ruinous competition to which the policy of the mother country had exposed them; and demanded the establishment of a system of measures that should accomplish their favorite purpose of creating a vigorous domestic manufacture. The unrestrained admission of British goods had reduced our manufacturers and artisans to absolute want; the free entry of British shipping had expelled our vessels from the ocean. From Charleston to Boston this condition of things was the subject of loud and continued remonstrance; and the remedy for it was a prominent object in the establishment of a new general government. The ship builders and the ship owners complained that foreign bottoms brought to the country all that was imported, to their ruin; and they besought their fellow-citizens to join them in measures of protection. The manufacturers and mechanics declared that it was of little importance so long as in what bottoms articles were imported, so long as this unrestricted importation, in whatever bottoms, threatened to reduce them to starvation. Both but these governments, from want of concert, could give no effectual relief. Attempts had been made to amend the articles of confederation for the very purpose of conferring this power upon congress; but these at-

tempts had failed. Hence it was that the establishment of the present government was hailed with the utmost enthusiasm and celebrated in the principal cities, by all classes, with manifestations of hope and joy.

The earliest legislation of the new government avows and adopts the principle for which we have been contending. The first important act on the statute book contains the following preamble:—'Whereas it is necessary for the support of government and the encouragement and protection of manufactures that duties be laid on goods and merchandise.'—This preamble was written, supported and passed by those who had come recently from the convention where the constitution had been formed. They were carrying into effect their own instrument. They seem, indeed, for preambles are quite unusual,—to have introduced this for the purpose of showing the country that its expectations would be fulfilled, and that the manufactures of the nation would be protected. It, therefore, the existing laws violate the constitution, the original act violated it. If this character of right be marred now, it was marred then, and marred by those who made it.

If protection be unconstitutional, this law carries unconstitutionality in its front; and yet, not one member of the first congress appears to have thought it unconstitutional. In the whole course of the debates, protracted through several weeks, no one expressed a doubt of the power of congress to lay duties for protection; we may therefore affirm that the power was admitted by all. Some articles were taxed for revenue only; some for protection only; and some for both. The published debates show all this, and, as we have already said, every congress, from that day to this, has recognised the same power. Every president, beginning with him who is justly esteemed the father of his country, has sanctioned it, and most of them have recommended its exercise, in earnest terms. Indeed, it has been constantly exercised; protection has been given by the registry acts; it has been given by the tonnage duty acts; it has been given by the acts regulating the coasting trade; it has been given to the fisheries; it has been given to the cotton in Carolina; to the coal of Virginia; to the hemp of Kentucky; to the lead of Missouri and Illinois; to the sugar of Louisiana, to the iron of the middle, western and southern states; and it has been given to the various artisans, mechanics and manufacturers. It is now forty-two years since this system of protection began, and it has never been interrupted or suspended, with regard to many commodities, for a single hour. Is all this legislation now to be deemed unconstitutional? Are all these interests to be brought into jeopardy, and perhaps to ruin, upon this modern construction of the constitution?

Not only has congress thus constantly exercised this power, but it has thought itself, from the first, under peculiar obligations to exercise it. It has considered that it would be guilty of a plain breach of duty if it should not exercise it; and so it was declared in its first session. This policy was more earnestly enforced upon congress because the states had surrendered their whole power on this question, and were, therefore, prohibited from exercising it by the constitution itself; since as they could not, as separate states, exercise it well, it was taken away from them and vested in the national legislature. It was said, therefore, and said truly, that it would be a fraud upon the states, if congress, now the sole possessor of the power, should refuse to exercise it. The constitution had declared that no state should lay any duty except for the mere purpose of enforcing its inspection laws.—Is it conceivable, that the people would agree to deprive their own state governments of the power of protecting manufactures, by suitable regulations of trade, without the consent of congress, for any other reason than because this power was intentionally transferred to the general government? The doctrine now advanced, imputes the strangest absurdity, to both to the framers of the constitution and to the people. It supposes them, instead of creating a new remedy for acknowledged evils, to have forever abolished the poor but only remedy which already existed. It supposes, design, effectual power to protect manufactures, they did no more than prohibit the states from exercising that

power, and extinguish it as a thing to be deprecated every where and altogether.—It supposes them to have imposed new shackles on their own limbs, and to have surrendered themselves, thus voluntarily bound, to the mercy of their foreign competitors and rivals. We cannot yield our assent to opinions, which ascribe purposes like these, or a policy like this, either to the convention, or to the people.

It only remains for us to add, that the public judgment has, at all times, affirmed the existence of this power, and approved its exercise. Even at this moment, there is no reason to doubt that nine-tenths of all the people hold the power to be constitutional. It is, therefore, not only against the words of the constitution, against the manifest design of the nation in establishing it, against the uniform sense of congress in passing laws under it, against a practice of forty years, never stayed nor suspended, against the opinion of every tribunal in the country, as far as we are informed; but it is also against the entire conviction of a vast majority of the people themselves, that these new and what we think dangerous opinions, are now brought forward as the true doctrines of the constitution.

It is an error to suppose that the *regulation of commerce* should necessarily imply the denial of a right to restrict, diminish or prohibit any particular branch of it. The *suppression* of any trade, injurious to the community, is as much a national concern, and as valuable an exercise of power, as the *encouragement* of other branches; and, indeed, in practice it must often occur that the conferring of special advantages upon one branch of trade may operate partially to the disadvantage of all others. Such is often the effect of treaties that reserve to the vessels of particular nations free entry to our ports: the commerce with such nations is promoted to the diminution of the trade with others not embraced in the privilege. This, however, is a lawful, just and profitable regulation of commerce. Commerce includes all kinds of traffic, whether sustained upon the ocean in ships, or transported on roads, rivers or canals: whether it belong to the system of domestic exchanges; or is conversant with the occupations of foreign countries; and it is the appropriate function of congress to regulate it in such manner as their wisdom may dictate, unlimited by any restraints except those which the constitution imposes on the power over the domestic intercourse of the states. The regulation of our commerce with the Indian tribes has subjected the traffic, from time to time, to all such restrictions as the national legislature found it prudent to adopt; and yet this right of regulation has passed unquestioned, though it has been directly exercised to the diminution of any species of traffic that has been considered hurtful.

It is nothing more than a regulation of commerce to shape our policy, in reference to our intercourse with foreign nations, by such rules as shall increase the products of our own labor to an amount that may render them, also, the subjects of a foreign trade, and thereby extend our commerce to new regions, and give it new accumulations of commodities. The agricultural products of a nation are not the only elements of its trade; its manufactures may be as desirable to foreign communities, and their transportation and exchange may become fully as valuable foundations of a rapid, enlarged and profitable commerce. Why, then, should the power to regulate commerce be supposed to be arrested at that middle point, between the prosecution of an old trade and the commencement of a new one that may, eventually, be rendered more expansive, useful and productive than any other? Such a restraint would seem to be utterly incompatible with the genius and character of any vigorous community, but especially with that of a young and healthy nation.

Before we leave this branch of our inquiry we are anxious to present the constitutional question in one more point of view. The best expositor of the constitution is that instrument itself.

The tenth section of the first article of the constitution provides that "no state shall, *without the consent of congress*, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws." The limitation which is here set upon the legislation of the states is within the control of con-

gress. The *consent* of that body releases any state from the restriction expressed in this clause; and consequently congress may permit either or all of the states, separately, to levy such duties upon imports as they may think convenient: it may allow the state of South Carolina, for example, to enact a tariff of the highest rates of duties, directed exclusively to the protection of any branch of industry they may wish to foster. It will be observed that the terms of this clause of the constitution absolutely forbid the idea that such a power is to be exercised for revenue. The state that imposes the duty is inhibited from taking the avails into its own treasury, but must pay them over to the general government; whilst that government, on the other hand, has the fullest power to levy and collect its own revenues, and consequently cannot be presumed to yield its consent to the state enactment upon considerations of that nature. That consent, therefore, is intended to be given, if it be ever asked, from a conviction of the beneficial effect expected to be produced in the state that levies the duty—or in other words, of its value as a protection to state labor. With such a power on the part of congress to permit a protective system to be enacted in the states severally, it would seem to be a solecism to suppose that the exercise of a similar power was intended to be denied to the national legislature itself to whom has been emphatically entrusted the whole complicated and interesting concern of regulating commerce.

In dismissing this review of the principles and practice of our government in their relation to an important constitutional right, we take the occasion to say that we contemplate the character of the present opposition to what we have endeavored to exhibit as the legitimate powers of congress, with regret; and if we could persuade ourselves that it was destined to command the assent of any large portions of our population, we would say that we view it not without alarm. This opposition appeals not to the discretion of congress; it seeks no modification, nor qualification, but demands an entire and absolute surrender of the principle. It is for the American people to decide whether this surrender can be made. For ourselves, we do not scruple to declare that, in our opinion, to give up this power would be to give up the constitution. If congress be stripped of this prerogative and the restriction against its exercise be still imposed upon the states, it is quite plain to our apprehension, that the doom of our happy and prosperous constitution is sealed. We consider this question, therefore, as vital; and we look to the perpetuation of the power which we have labored to defend, and its just exercise, to be indispensable to the preservation of that government which has conferred on the people of these states innumerable blessings.

You are next invited to examine the subject in its connexion with the principles of an enlightened political economy. The system which we maintain rests upon the following principles:

All the means of human enjoyment, and all the accumulations of wealth, are the product of human labor.—National happiness and national wealth are, therefore, promoted in proportion to the active industry of the community; and that industry is in proportion to the inducements to labor, arising from the amount and certainty of its remuneration. The immediate instrument for calling labor into action is capital. Capital is necessary to furnish the laborer with the means of applying his labor to advantage, whether in the simple tools of agriculture and some of the mechanic arts, or in the complicated and expensive machinery, applied to certain branches of manufacture, the modern improvements in which have added so much to the productive power of man.

It is a settled axiom, that the industry of a nation is in proportion to the capital devoted to its maintenance. It is, therefore, thought to be a wise policy to multiply the inducements to apply capital to the employment of labor at home, rather than to the purchase abroad and traffic in commodities of foreign production, by which, the capital of the country is made to set in motion foreign labor. This is founded on the principle, universally admitted, that there is, in every nation, a power or capability of labor beyond that actually put forth; and that its effective industry is proportioned to the stimulus ap-

plied in the shape of capital. This constitutes the American System. It invites the application of American capital to stimulate American industry. It imposes a restriction, in the form of an import duty, on certain products of foreign labor; but so far as relates to American capital, or American labor, it simply offers security and inducement to the one, and gives energy and vigor to the other. The purpose of the protective system being thus directed to the utmost expansion of the industry of the nation into every channel of domestic competition, it would seem to be manifestly erroneous to call such a system *restrictive*, inasmuch as the avenues of labor in the internal organization of any community are much more numerous and extensive, than those which belong to foreign trade: whilst, on the other hand, there are no restrictions so severe upon the occupation of our citizens, and none that so irresistibly impel labor into a small number of channels as those that are created by the capital and industry of older nations when concentrated and brought into competition with the capital and industry of a young people in their first attempts to possess themselves of the arts that create and accumulate wealth. A nation that is devoted to agriculture only, and is dependent upon foreign labor for its manufactures, presents the spectacle of a people whose industry is confined to the single occupation of cultivating the soil, and transporting its products abroad, and is always subject to be disturbed by the policy of those on whom it depends for the purchase of its products: but the same nation, when encouraged in the attempt to supply itself with manufactured fabrics, releases its labor from the restraints of its previous straitened condition, and is seen rapidly diversifying its pursuits, until they finally cover the whole space that was originally divided between itself and the people that supplied it with manufactures.

It is true, that a different system of political economy is maintained by a certain school of theoretical writers. It is contended by them, that restriction upon the importation of foreign commodities, under any circumstances, is a mistaken economy;—that foreign manufacturers should be allowed freely to bring in their wares, although they will receive from us nothing in exchange, but the precious metals. This is the system which has been lately called enlightened. We, on the contrary, believe it to be founded on mistaken views; and that a practical application of it would paralyze the industry of the country. The fundamental principle in this system, is one which we deem totally erroneous. It considers the *profits of capital*, as constituting the only source of national wealth. It assumes the fact, that the wages of labor are barely sufficient to support the laborer, but leave him nothing for accumulation. Now, whether this may or may not be true, in the fully peopled countries of Europe, it is palpable to the slightest observation, that in reference to labor in the United States, it is absolutely and totally false. Such is the abundance of the means of subsistence in this favored country, that the laborer is able to accumulate capital out of his surplus earnings. We every where see capital accumulating in connection with labor. Labor is not with us, as the theory supposes, the mere instrument of capital; the mere handmaid to furnish the profits of the capitalist; it is, on the contrary, an intelligent, active principle,—the partner and sharer in the increase of wealth, produced by the united action of both. We have no class in America corresponding with the operatives,—the human machines of Europe. We, therefore, totally deny the correctness of the position, that "the question relates exclusively to the *application of capital*." We deny, that "the power of government is limited to its *transfer* from one employment to another." By increasing the stimulus to labor, resulting from the application of capital, to *home production*, additional capital can "be generated by an act of legislation." It is said that this system "oppresses the many for the benefit of the few." We, on the contrary, believe, that whilst it benefits all, its highest recommendation is found in its beneficial action upon the many—the laboring classes, the working men. If there is any one principle in political economy, which is perfectly well established, it is, that the profits of capital, employed in any one branch of industry, cannot, for any length of time, exceed the average rate in

other employments; it being the constant tendency of free competition to equalize profits. It is, therefore, an argument altogether fallacious to suppose, that this system favors capital devoted to one branch of business more than that devoted to another; or benefits any one class of individuals; to the prejudice or exclusion of others.

It is also said, that "it is equally untrue that such a system gives greater employment to labor."

We dissent from this doctrine and are fortified by the opinion of the author of "The Wealth of Nations," whose language we think it useful to quote: "The capital of the manufacturer," says this writer, "puts immediately into motion a much greater quantity of productive labor, and adds a much greater value to the land and labor of the society, than an equal capital in the hands of any wholesale merchant."—"After agriculture, the capital employed in manufactures puts into motion the greatest quantity of productive labor, and adds the greatest value to the annual produce. That which is employed in the trade of exportation has the least effect of any of the three."—"The capital employed in the home trade of any country will generally give encouragement and support to a greater quantity of productive labor, in that country, and increase the value of its produce more than an equal capital employed in the foreign trade of consumption, and the capital employed in this latter trade has, in both these respects, a still greater advantage over an equal capital employed in the carrying trade." "That part of the capital of any country which is employed in the carrying trade is altogether withdrawn from supporting the productive labor of that particular country to support that of some foreign countries."

In accordance with these positions we maintain the efficiency of labor to add to the power and riches of a country, against the theories of later writers who attribute every thing to capital. In fact, we consider it the most important and valuable feature in our system, that it tends directly to increase the effective power, and remuneration of labor, thus multiplying the means, the comforts and enjoyments, of the laboring classes, and raising them in the scale of civilization and social life. This political effect on the character of society may be considered its highest recommendation. It is thus made to give strength and permanency to our free institutions.

The peculiar advantage of the United States consists in the abundance and cheapness of fertile lands, affording an easy subsistence and high remuneration to labor.—We consider the system of establishing manufactures and the arts amongst us, as distributing and equalizing these peculiar advantages, through all the departments of industry and through all classes of society.

This effect, we believe, to be deducible from the system, according to the most approved principles of political economy. But we consider all speculation on this subject founded on the ultimate tendencies of human action, and the averages of contending principles, as very uncertain guides in legislation, compared to the surer test of experience, and those practical results which are obvious to the senses.

Mistaken and preposterous assumptions of the merits of what is called free trade have, under the ever active delusion of British influence, afforded pretexts latterly to the opponents of the protective system which, it is proper to dispel. It is not long since no one believed in the power of propelling boats by steam, and every one believed that the British debt was to be paid off by the sinking fund;—similar mistakes exist as to free trade—as a municipal principle, there is no question of the great advantages of free trade. The United States, in their coasting trade and domestic exchanges, afford the most striking illustrations of them ever witnessed—but, as between foreign nations, there is no free trade—there never was—there never can be—it would contravene the arrangements of Providence, which distribute mankind into different communities, separated originally by confusion of tongues, and prevented from all rushing together into the most favored latitudes, by local attachments and foreign antipathies, which are the germs of national preservation, by means of national emulation.

Much of the suffering which it is alleged is felt in certain portions of the United States, (if their complaints have, in fact, any foundation) is to be attributed to the very circumstance that they are placed in the circle of twenty-four commonwealths, enjoying the most complete freedom of trade, the operation of which has been to expose those who have not the inclination to employ their labor to the full extent of its capacity, to the severe rivalry of more industrious and thrifty communities, living under the protection of the same general government.

Nations are adversary to each other; their commercial intercourse is regulated by treaties always made with a view to relative advantages, and to provide for those hostilities which are of perpetual recurrence. The vexatious provincial tariffs which formerly fettered intercourse and almost destroyed traffic in the interior of nations, suggested the idea of that free trade, which has since been misunderstood and egregiously misapplied by more speculative writers.—The tariff acts, which even now impose duties on the wines of Spain at provincial borders and on those of France at city gates, are grievances, for which free trade is a happy substitute—but the principle is entirely municipal and in no respect applicable, without disadvantage, to independent nations.—The vessels of the United States are navigated with fewer hands and make their voyages in shorter periods, than others;—hence, what is called the reciprocity principle, originating in the first treaty between the United States and France, has been wisely proffered by the United States to many other nations, because it is supposed that our navigation would supplant theirs.—But the artificial systems of England, France, Spain and the other nations, with which the United States have most intercourse, render it extremely improbable that any approximation to the footing of free trade, should ever be arranged between them, even by treaty. For us to attempt while they reject it, would be a complete surrender of ourselves as a voluntary sacrifice to the policy and cupidity of foreign governments; to create a government for the benefit of others and not for ourselves. A tariff of duties on commerce between New York and New Jersey, would be as injurious as unconstitutional. Free trade between these states and among all the states of the union is the main spring of general welfare;—and one of the strongest links of the chain that connects them but free trade between New York and Liverpool would ruin the farmers of England through our superabundant bread-stuffs, and the manufacturers of the United States by the superior capital and proficiency of England in manufactures, and the degraded state of the operatives. An unrestricted intercourse between two nations reduces the labor of one to the same scale of compensation with the labor of the other; and such a consequence is certainly to be deprecated by that nation whose labor stood highest on the scale. This consideration forms a striking argument against the policy of such a system between foreign states.—While, on the other hand, it is no less desirable that, amongst the separate communities associated under the same government, this reduction of the higher labor to the scale of the lower should take place; inasmuch as the interests of these domestic communities are equally the objects of the protection and solicitude of their common governments.

The freest of free trade is, after all, but a chartered liberty.—The United States could not share their coasting trade with England without disadvantage;—the most extravagant advocates of free trade (it is believed) have never yet dreamed of sharing our river trade with foreigners.—To throw open the Ohio and Mississippi, the Hudson and the Delaware to British, French and Dutch navigation, would be of no advantage to our own.—England could not open her maritime coal trade, the great nursery of her seamen, to the enterprise of New England without losing at least one half of it.—She even refuses us a passage through the St. Lawrence, although we own part of that river. The greatest commercial nations of the middle ages, the Hanseatic League, and Holland, the maritime wonder of the world, became sooth by the exclusive enjoyment of the fisheries and the trade to India and other monopolies, which they

maintained at the charge of long and bloody wars.—England struck the vital blow at Holland, not so much by naval victories as by her navigation act. The commercial and the military marine of the United States have risen to menace upon similar interdition.—Wah free trade we should have neither the one nor the other, but be a poor, dependent, pastoral people.—It is only about ten years since the project for reducing the duties was first suggested in England, in a petition to parliament from the merchants and traders of London.—In 1825 some slight and cautious reductions were accordingly made, but in nothing to effect the commercial monopoly and maritime ascendancy of Great Britain. Her colonial commerce is mostly exclusive.—The freedom of the trade of the Susquehanna river is now in dispute between the states of Maryland, Pennsylvania and New York. So intractable is free trade in fact, while fruitful of speculation. Within a few years Russia, misled by this delusion, and Holland under the influence of England, made experiments of free trade, which Russia soon found intolerable and abandoned, and which has contributed to reducing Holland from once being the richest nation of Europe to being one of the most impoverished and indebted. In fine, the dogmas of free trade, which are said to be taught in some colleges, may serve to inflame youthful imaginations, but, as they never actuated a practical statesman, they can never mislead any well informed mind. What is called the American System, is the system of Europe; is the universal system;—and (if the experience and common sense of mankind be any standard of right) is the true and the only system of intercourse among nations.

It is doubtless true, that during the last half century, a more enlightened philosophy has been applied to the affairs of mankind; that political economy is much better understood, its principles more fully developed, and more judiciously applied. The sense and experience of men had gone far to correct the erroneous legislation of former times, and to develop and multiply the true sources of national wealth. But the modern theory is not content with the attainment of practical benefits merely; it seeks, by an unqualified application of certain general principles, to produce a thorough revolution in the business of men, and the relations of nations. It is against these extremes of visionary good and practical mischief, that we desire all men of reflection and sober judgment to make a stand. We ask them to look at the present condition of our country and to examine the operation of the present system upon all its great interests. Above all, we ask them to look to the practice of all foreign nations, rather than to the speculations of their writers. They will then find that those who have taught us this theory of free trade, are too wise to practise it; that they continue to act and to legislate upon the system of protecting their own industry, though some of their writers and orators recommend to all other nations to abandon it.

A reference to our own experience is, however, the best criterion, by which to test the correctness of the system which we support. It is not new; the principle was applied, as we have already stated, to our navigation, from the establishment of the federal constitution, prohibiting foreign shipping from the coasting trade altogether; and imposing a high discriminating duty on foreign tonnage. If this discrimination has been abandoned, in respect to those nations who would consent to a system of reciprocity, it involves no surrender of the principle. Trade can only be carried on between nations by mutual agreement; and mutual protection leads to reciprocity as the only equitable arrangement. The mechanic arts have also been the subject of protection, from the establishment of the government; and it cannot be doubted that to this circumstance they owe, in a great measure, their success; a success, which has made the mechanics of the United States one of the main pillars of our national strength. Agriculture has likewise had a full share of the benefit of this protection; and in truth it may be said, that as our government commenced its career with the establishment of the germs of the protective system, so it has continued ever since, gradually nurturing and invigorating them until they have reached their present growth. Some interruptions have occurred in the march of this policy, but these interruptions owe their origin to

accidental circumstances which dictated the necessity of relaxing the system for the benefit of other interests that were more immediately concerned in availing themselves of the advantages of foreign trade. These, however, are to be regarded not as proofs of the uselessness of the system, but as exceptions growing out of the pressure of temporary accidents. The events that followed the French revolution gave a new and unexpected direction to the enterprise of our citizens. The disturbed state of the continent of Europe, and the prevalence of universal wars, throughout the nations of that quarter of the globe, placed the United States in the position of the only neutral amongst many belligerents, and so obviously opened the way to commercial wealth to our citizens, that all other interests sunk into insignificance compared with those which were concerned in pushing a foreign commerce into every region where the strife of the contending parties excluded the competition of the belligerents themselves, and left to the United States the undisputed monopoly of trade. To this fortunate conjuncture of circumstances is to be ascribed the most rapid growth that has ever been traced in the history of any empire. The United States not only became the medium of the commerce of the world, but their peaceful position attracted the emigration of all those who had the means and the wish to escape from European troubles.

Amongst the advantages which have resulted to us from this state of things we have suffered one evil, the effect of which is not obliterated, even at this day. Accustomed for twelve or fourteen years to commercial speculations of unparalleled activity and success, we were taught to think that our national prosperity was inseparably connected with the prosecution of that kind of trade in which our citizens had been engaged, and we were thus insensibly educated in the opinion that the great interests of our commonwealth would be always concerned with a foreign commerce exclusively employed in transporting abroad the products of our agriculture and receiving returns in the manufactured commodities of other nations.

There was another circumstance that gave great authority to this delusion. The cotton manufacture of Great Britain was rapidly arising into the greatest activity and vigor. It was in process of time discovered that the raw material for this manufacture could be produced in the United States under more favorable circumstances than in any other part of the world. At first, but two or three of our states were employed in the cultivation, and the demand from England was even greater than the supply. The profits of this cultivation, therefore, were almost unlimited. The portions of territory employed in the growing of cotton were small, and the common opinion was that but few districts, in comparison with the great extent of our surface, could be appropriated to the culture. In the meantime, the cotton factories were diffused over Europe and took the place of large quantities of those manufactured from wool, silk and flax. Every year demonstrated the increasing importance of this manufacture both in Europe and America, and the demand still continued to outrun the supply. These circumstances had their influence in impressing upon our citizens an exaggerated idea of the permanence and value of this source of agricultural wealth and, along with it, the value of the trade which was concerned in the transportation of it. I persuaded our planters to believe that they possessed an almost inexhaustible source of riches: it unfitted them for sober calculations upon the effects that would follow the extension of the culture of cotton over the fertile regions that yet lay in wilderness behind them; and it equally disinclined them to foresee the possibility of the manufacture itself reaching a term at which it might become stationary and which was, therefore, eventually to set a limit upon the demand, at the very period when the supply would be increased in an almost infinite ratio by the spread of population over other states of our union, even more propitious than their own to the production of the plant. It may, therefore, be considered a misfortune, consequent upon their former prosperity, that our citizens were almost irresistibly led by it into delusive estimates of the true and permanent sources of national wealth. It was one result of this state of things that, whilst our

countrymen were intent upon gathering the harvest which the distracted condition of the world had strewn before them, they were unminutely of the future and neglected to treasure up the elements of strength and prosperity which lay hidden in the bosom of the nation; and which, as they were independent of foreign legislation or external accidents, were most likely to furnish the means of a stable and enduring happiness.

Troubles soon afterwards broke out at home. A war threatened and our citizens were suddenly called to meet a tremendous emergency. Our commerce was put in fetters by non-importation acts and embargoes; and the crisis that succeeded found us without the most ordinary resources of an independent people. Our armies went to the frontier clothed in the fabrics of the enemy; our munitions of war were gathered as chance supplied them from the four quarters of the earth; and the whole struggle was marked by the prodigality, waste and privation of a thriftless nation, taken at unawares and challenged to a contest without the necessary armour of a combatant.

When it pleased heaven to rescue us from the imminent hazards of this doubtful and disproportioned conflict, we saw around us a nation of eight millions of people possessed of a territory nearly equal to the continent of Europe, rich in the ungathered resources of every kind of wealth,—just emerging from a war of two years and a half, with an enemy who had never assembled an army of more than thirty thousand men—and yet deranged in all its channels of industry, exhausted, and on the verge of bankruptcy. Nothing but the most perverse neglect of the fundamental precepts connected with the proper administration of the concerns of a commonwealth could have produced such a result!

These disasters opened our eyes to some important facts. They demonstrated to us the necessity of extending more efficient protection, at least, to those manufactures which were essential to the defence of the nation. They proved to us the value of a national currency, and the duty of protecting it from the influence of foreign disturbance; and, amongst other things of equal moment, they made us acquainted with the fact that the British manufacturers could find a large and, if necessary, a complete supply of cotton from other soils than our own.

All these matters came into review before congress at the close of the war. A proper occasion for their discussion arose when the question was submitted as to the reduction of the war duties. The return of peace made it necessary for the legislature to take off the taxes that had been imposed for defraying the expenses of the war; and in this reduction of duties to what it was considered should be a permanent standard, the cotton planting interest urged with great force and propriety, the necessity of retaining such a duty as should exclude from the American market all fabrics made from the cotton of the East Indies. It was an anomaly apparent to every citizen of the United States, that our government, possessing so many facilities for supplying Europe with cotton, should, nevertheless, allow a trade that threw in upon us vast quantities of cotton cloth produced at the distance of ten thousand miles: that our most common household supplies should be furnished from such a quarter. Nothing was more generally acknowledged than the duty of the government to protect the cotton grower against such a competition; and this argument was addressed to the nation by the cotton growing states, even with the conviction, at that time prevalent amongst themselves, that its success would be to give them what may be termed a species of monopoly in the supply.

The duty was retained; and it is important to know that, being designed for the protection of the cotton grower, it was graduated to a scale precisely adequate to that purpose. His interest required the exclusion of the East India fabric, but was supposed to be hostile to the attempt of the American citizen to manufacture the material: the duty, therefore, was adapted to the first purpose, but not to the latter. It banished the foreign manufacture:—it did not protect the home;—being thus accurately adjusted to the wants and wishes of the planting interest, without professing to serve any other.

This placed our commerce upon the most favorable footing for the cotton grower that could be desired; and

the nation, having thus performed its duty to this valuable interest, turned its attention to other branches of industry.

The tariff of 1816, it may be remarked, was a measure that met the approbation of the large majority of the people in every section of the union. No partial nor local considerations were embodied against the operation of either its principles or policy. The southern states were even more forward than their northern confederates in recommending the policy and defending it in the councils of the nation. By this tariff various manufactures were attempted to be established in the U. States. The want of skill and capital exposed these infant institutions to a fierce and vindictive competition from the manufacturers of Great Britain; and, in three years, almost every capitalist who had ventured into this field of enterprise was broken up. The heavy loss and distress that visited this endeavor to establish manufactures subsequently urged the subject of more extended protection upon congress, and the result, after various struggles, close and elaborate inquiry and a careful attention to the expanding means of the country, was the establishment of a vigorous system, which has diffused health and strength into the industry of the nation, and added to the wealth of every class of the community.

We ask attention to another topic. Revolutions in trade are unavoidable: the balance of supply and demand cannot always be regulated with precision. There is a tendency, growing out of a prosperous commerce, to push success to an extreme which produces reaction. To these periods of embarrassment, of general stagnation, and severe pressure for money, the United States have been peculiarly subject.—We attribute this, in a great measure, to our having depended, in so great a degree, for our manufactures, upon the nations of Europe. Importation is induced more frequently by the necessity or hope of the manufacturer to find a market, than by actual reference to the wants or means of the country. A reduction in the prices of exports, following an excessive importation, causes a state of exchange which leads to an exportation of specie; the moment this exportation touches that portion of the precious metals necessary to sustain the money circulation, the operations of the banks become embarrassed, and distress and dismay are spread through all classes of the community.

We believe that the system which furnishes a nation with manufactures, essential to its daily wants, from its own industry, is the best possible security against violent changes in its currency;—changes which paralyze all industry, and disturb all trade; and we therefore submit it to the experience and judgment of the American people whether the protective system is not, in this particular, more advantageous to the country than that which, after deluging our markets with foreign manufactures, draws from us, in return, not a useless commodity, but the instrument by which our exchanges are performed, the very basis of our bank circulation, the essential principle of commercial confidence.

Mistaken opinions in regard to the effect of the tariff upon the prices of commodities used in the United States and upon which the protective system has been brought to bear, have furnished some popular objections against the wisdom of the policy. It has been said that the effect of a duty is necessarily to increase the price of any article upon which it is laid to the full amount of the tax. It would be easy to show, by a minute survey of the whole field of American industry, that, so far from this being true, the invariable operation of the tariff has been to lower the price to the consumer of every article that has been successfully manufactured under the protection. Such a survey would require more detail than the purpose of this address allows, but we propose to examine the operation of the tariff upon some of our most important staples.

In the article of cotton it is admitted that our manufacture has arrived at such perfection in the production of the coarse fabrics, that they are not only furnished at a little more than one half of the cost which the imported articles of the same kind bore a few years ago, but they are produced as cheaply at the present time as our foreign rivals, under all the excitements of American

competition, are able to furnish them. They have had a constant and increasing demand for several years for exportation as well as for home consumption. None but the finer qualities are now imported, which are little, if at all affected by the minimum duty. The price of raw cotton has fallen but about a cent a pound within the last four years, whilst the price of cotton goods,—of sheetings, for instance, of more than three yards to the pound,—has fallen nearly four cents a yard within the same period. Satinets, of wool and cotton, are made at less than one half the price of cassimeres, and are more durable. Cotton flannels formerly imported from China at from fifty to sixty cents a yard, are now made, of a better quality, here, at from fifteen to twenty cents. Indeed we might enumerate every species of manufacture in which this material enters as a component part, to show that both in the character of the article and the cheapness of its price, the country has been a great gainer since the enactment of the system that has promoted its fabrication.

To the cotton planters of the United States, the system has undoubtedly yielded the most decisive advantages. It has created a certain and valuable market for about one-fifth of their crop, and it has encouraged the consumption of large quantities of their staple in fabrics to which it never would have been applied, if the manufacture had not been carried on in our own country. The establishment of cotton mills amongst us had the most visible tendency to induce our manufacturers to apply cotton to uses which both the policy and the position of foreign manufacturers would have forever forbidden them from adopting. This fact is conspicuously seen in the application of cotton to sail cloth, and to all those articles of heavy clothing in which it has lately been substituted for wool. It is now manufactured into carpets, blankets, cordage, twine, net work and a variety of other commodities that may be said to be exclusively of American origin. Cotton being a product of our own soil, we have naturally an interest to extend its application to new uses, above what might be expected from nations who are mere purchasers of the article, and who are as much, if not more, concerned in preserving and promoting the use of wool and hemp in the labors to which we have applied our cotton.

Let us next consider the article of iron; and we will introduce the notice of it with a quotation from that masterly report of the first secretary of the treasury, which, forty years ago, recommended prohibitory duties in favor of the manufacturers of this article: "for" says that report, "they are entitled to pre-eminent rank. None are more essential in their kinds, none so extensive in their uses. They constitute, in whole or in part, the implements or the materials, or both, of almost every useful occupation. Their instrumentality is every where conspicuous. It is fortunate for the United States that they have peculiar advantages, for deriving the full benefit, of this most valuable material, and they have every motive to improve it with systematic care. It is to be found in various parts of the United States in great abundance, and of almost every quality; and fuel, the chief instrument in manufacturing it, is both cheap and plenty." This report which is a treatise on political economy, at least equal to any thing that has appeared since its publication, states that the average price of iron before the revolution, was about sixty-four dollars per ton, and that at the time of that report it was about eighty dollars. Soon after it appears to have risen to ninety-five dollars, and in 1814 was as high as one hundred and fifty dollars. After the ineffectual tariff of 1818, which ruined numbers, induced by its vain protection to make investments in the manufacture of iron, it rose from ninety to one hundred and five dollars per ton. Under the influence of the duties of the acts of 1824 and 1828, it has declined to its present prices of from seventy-five to eighty-five dollars per ton, and there is every reason for the confident belief entertained, that if our own market be protected against the formidable and incessant endeavors of the British manufacturers to control it, the price of iron will, before long, decline to from fifty to sixty dollars per ton. Such is the irrefutable proof of all recent experience.—Cut nails, which in 1816 sold for twelve cents per lb. are now sold for less than half that sum, under the per-

manent security of five cents per lb. which has given our manufacturers their own market. "The United States," (says Hamilton's report before mentioned), "already in a great measure supply themselves with nails." "About one million eight hundred thousand pounds of nails and spikes were imported into the United States," in the course of the year ending the 4th September 1790. A duty of two cents per lb. would, it is presumable, speedily put an end to so considerable an importation. And it is in every view proper that an end should be put to it."

Bar iron which sold at Pittsburg in 1829 at \$122, sells there now at \$95. Castings which were \$63 are now \$50 per ton. Such are the practical results, proving the operation of the tariff on the market for iron. The duty, by the law of 1816, was so inadequate as to cause nothing but ruin to those concerned and enhancement of price to the consumer. The act of 1818 was some amelioration; the acts of 1824 and 1828, which increased the duty, decreased the price. Hammered bar iron under a duty of twenty-two dollars and forty cents a ton; is at a lower price than when under a duty of nine dollars a ton, and improved in quality from five to ten per cent. by the greater care and skill which more extensive investment has naturally created under more certain protection.—The efforts of the English manufacturers to destroy the American manufacture of iron, and possess themselves of our market, have occasioned extensive bankruptcies amongst them in England, and reduced the price of iron considerably below the cost of manufacture; inasmuch that a convention of iron manufacturers recently held there, resolved to reduce the quantity made twenty per cent. throughout the united kingdoms. With the control of our market they would infallibly regulate both the price and the quantity of the iron in this country—thirty-one establishments of which have appeared in western Pennsylvania alone, since the last tariff act.

The influence of protection upon wool, while it has been most beneficial upon the farming states, has had no tendency, that we are aware of, to injure the plantation states. The number of sheep in the United States is computed at about twenty millions: and their increase at about five millions since the act of 1823, which gave a great impulse to the stock. The farmers of Virginia, Pennsylvania, Ohio, New York and the other wool-growing states, have an interest in this national property, taken at fifty-five cents per lb., nearly equal to the capital of the plantation states in the cotton crop of this year, reckoning it at thirty millions of dollars. There is no doubt that, within three years to come, the farming capital in wool will be more valuable than the plantation capital in cotton. Without protecting duties American wool would be reduced one-half in quantity and in price. The large flocks which now cover the immense and inexhaustible pastures of the United States, most of them more or less of the fine Spanish breeds, must be again slaughtered, as has been heretofore the case, for want of due protection, and this great capital in fleece sacrificed to that of cotton with enormous loss to one interest, and with no possible advantage to the other. For like every thing else, woollen goods have fallen from twenty to twenty-five per cent. since the last tariff. The immediate effect of that act, by calling a large number of additional clothiers into active enterprise, was to cause a decline in prices ruinous to many of those before engaged in the occupation. Under the influence of the improvement in the price of wool, woollen manufacturers have rallied again, but, at least as respects them, the charge of monopolizing prices is a cruel mockery. The advantages of the tariff, in its operation upon wool, have thus far been confined almost exclusively to the farming interest; the manufacturers have yet all their way to win; and the effect of that competition, which is the result of protection, cannot be known until it has had longer time for operation.

The finest cotton and woollen manufactures are not yet much made in the United States, but we may assert without fear of contradiction that nine-tenths of the American people, who do not affect foreign luxuries and fashions, may be clothed with woollen, cotton, fur and leather fabrics of their own country, better and cheaper, than either could have been obtained abroad if the tariff had

never been enacted. The greatest mistakes prevail in this respect; it is continually said, that hats, coats, boots and other articles of dress are dearer here than elsewhere. Such is not the case with all those who are independent of foreign fashions. Those who enjoy superior wealth and study superior elegance, are at liberty to gratify their caprice, at that additional expense, which such a gratification costs in all countries—in none more than in Great Britain, where the opulent and noble are in the habit of paying more extravagantly for French, Asiatic and other luxuries, than some of our opulent citizens chuse to pay, in like manner, for luxuries imported from abroad.

Whilst we assert that it has been the effect of the protective system to benefit the consumers by giving them manufactures cheaper than they had them before, we are willing to admit that prices have had a correspondent fall in the same articles abroad; but this fall of price abroad has been the result of the competition of American labor. It is impossible to advert to the fact that the United States export to foreign markets six times the quantity of domestic manufactures that they exported in 1820, and at present furnish incomparably the largest share of the home demand, without perceiving the tendency of such a competition to reduce the price of the same articles amongst all those nations who aim at supplying us.

But we hold it to be a common error to consider the comparative cheapness of the foreign and domestic commodity a test of the value of the system. Even if it were true that the domestic product were not reduced in price, and were to be procured only at a higher cost than the foreign, still the benefit of the system would be found in the fact that it enables the domestic consumer to afford the higher price for the manufacture, and thereby to furnish himself on better terms than he could have done when obliged to depend upon the foreign imported commodity—that, in other words, the increase of price, if it has taken place, cannot be called a tax upon the consumer, if the same system which has increased the price has also increased his means of paying it. That this increased ability to pay has occurred to a most beneficial extent, is evident in the invigorated condition of our agriculture in the last three or four years, during which period the value of the labor of the farmer, and with it the value of his land, it is well known; has risen some twenty or thirty per cent. This augmentation in the value of agricultural labor and capital can be ascribed to no other cause than to the increase of the manufacturing classes, and to the rapid growth of our home market under the protective system. During this period there have been no wars to create a demand abroad for our grain, but on the contrary, all the producing nations have been exerting their industry to the utmost, and maintaining a rivalry against our own citizens which would have visited them with the most disastrous consequences if they had not found a steady and valuable market at home. The fact, too, that agricultural products have risen whilst manufactured goods have fallen, furnish the best proofs that the fall of prices are to be mainly attributable to the competition of domestic labor.

The loudest complaints of oppression proceed from the south, particularly from South Carolina; but that these complaints are not owing the tariff acts, is unquestionably proved by the fact, that their public press, their memorials to congress, and other mediums of complaint, were as much burthened with them before those acts, as they have been since. In the acquisition of the extensive and fertile territories annexed to the United States by the purchase of Louisiana the lands and property of the plantation states could not fail to be depreciated, by a vast accession of lands, at least as fertile, for all similar purposes. But it is inconceivable how a steady market for at least two hundred thousand bales of cotton a year, liable to no fluctuation from foreign influence, can be injurious to the cotton growing states; and, certainly, if the inhabitants of the less exuberant and more industrious latitudes of the central and eastern states, were not, from the influence of climate, or some other cause, less liable to excitement and less addicted to complaint than their southern brethren, they have had much greater cause for it.

The article of sugar is a production of the planting states receiving the full benefit of the protecting system. If any application of the system operate as a tax on consumption, it would apply to the duty on sugar. It is true, the cotton planters of South Carolina will not admit that protection to the cultivation of sugar is any offset to their own faceted oppressions, but it is apparent that the lands and capital devoted to the cultivation of the sugar cane, are so much of both withdrawn from the cultivation of cotton, relieving that culture from the effect of over production, the only evil which it has any reason to fear.

The bread stuffs, lumber, and nearly all the other staples of all the grain growing states are excluded from European markets by prohibitory duties. Whilst the export of cotton has quadrupled, that of bread stuffs has diminished in a much greater ratio with relation to the population of the states that produce them. If instead of spending their time in unavailing complaints, they had not conformed to circumstances, and turned their attention to manufactures, their grievances would have been infinitely greater than any of which the southern states have ever complained. Nothing could relieve the farming interests of the middle states but their own manufactures and the manufactures of the eastern states. They alone supply that market which Europe denies. In addition to the incalculable consumption of bread stuffs by the manufacturers of the grain-growing states, what is equivalent to a million of barrels of their bread stuffs is imported every year into the eastern states; a relief, without which, the susceptibility of these states would have been tried to a degree of endurance far beyond that exacted from their brethren of the south. It cannot escape observation, that while their sufferings are announced in most eloquent language, and in unintermitting remonstrance, yet there has been so little specification of the supposed causes, that it is denied by many, among themselves, that they suffer at all. There is even good reason to believe, that within the last five years, the interest on planting capital has been more productive to the owner, than the interest on the same amount of capital employed in manufactures.

The states of New York, Pennsylvania and Ohio have invested a capital of enormous amount, which may be reckoned as at least fifty millions, within the last ten years, in what are called internal improvements, canals, railways, and other facilities of transportation. This capital depends entirely upon domestic industry for its fruits. It would be a deal loss to the four millions of people who have expended it, and might as well be abandoned at once, without the protected products of domestic industry for its returns. Foreign commerce can yield it little or no service; and to destroy those guards which secure to it the home market, would be to render it altogether a useless expenditure. Foreign commerce would in this way lose also one of its most productive resources.

In our review of the operation of the tariff upon the various interests of the several states, it must never be lost sight of, that the one-fifth of the cotton crop which is consumed at home, for which we may estimate the sum paid at six millions of dollars, is, in the course of a very short time, worked up by manufacture to at least thirty millions of dollars, which is the worth of the raw material wrought into the various articles produced by manipulation: thus one-fifth of the crop of cotton manufactured becomes as valuable as the whole cotton crop, in the short space of six months after its purchase; and in the meantime diffuses competency and comfort amongst large numbers of the laboring classes of the community.

The policy of the protective system is happily and amply illustrated in the growth and prosperity of the U. States. The union teems with proofs of its wisdom. All that Hamilton's masterly report predicted of its benefits, has been unfolded and is progressive beyond the most sanguine anticipation. All the objections refuted in his argument have disappeared in experience. The antagonists of the system not long since declared that it would infallibly diminish, if not destroy the revenue, and compel a resort to loans and taxes for the support of government: their present complaint is that the revenue is excessive. Redundant importations, some years ago, imposed the necessity of a loan; the manufacturing es-

tablishments now spreading throughout the U. States, sustain their agriculture, have revived their commerce, have vastly increased their coasting trade and domestic exchanges, and have mainly contributed to an abundance of the precious metals; they are the stablest pledges of independence and permanent peace; and the most accessible objects of taxation and productive resources in case of need. It was said that high duties would demoralize the commercial character of the United States, and the evils of smuggling are still insisted on and depicted in the most prominent colors. We know of no smuggling; nor do we believe that it exists to any considerable extent. It is true, frauds have been practised upon the revenue laws to a degree that demands the notice of government; but we are happy to have this opportunity to bear testimony to the high and honorable character of our merchants, and to say that where frauds have been discovered they have had their origin with those who are alien to our clime, our laws, and all the considerations connected with our welfare. They are frauds that affect, comparatively, but a small portion of that vast amount of labor that owes its support to the protective system.

It was affirmed that this system would undermine commerce and ruin navigation; but they flourish and prosper beyond all expectation. It was to create a moneyed aristocracy; if aristocracy be possible with our institutions, it certainly has not found an abiding place amongst manufacturers. It was to inflict a class of paupers upon our population: no such class exists amongst the industrious. It is still denounced as taxing the many for the benefit of the few; but the many, with the power in their hands to change it, are its sturdy friends and supporters, proving that they, at least, deem themselves gainers by the system; whilst the few, on the other hand, never cease to tell us of the grievance of being subject to the majority.

A rapid increase of population, dwellings, culture, of the comforts of life and of the value of property, wherever manufactures prevail, bespeak their capacity to diffuse happiness and wealth. The new industry that has been brought into existence has induced the consumption of increased amounts of the productions of the land, and has added to the prosperity of every class of agriculturists. During the last six years; under the benefit of protection, four hundred sugar plantations have been added to the three hundred previously existing in the state of Louisiana, which now supplies two-thirds of the demand of the whole union. In the meantime, the price has been continually falling, and there is every reason to believe that, within a short period, besides furnishing the home market, our planters will have a surplus for exportation.

Our warehouses, workshops, and stores, abound with excellent and elegant wares of American fabrication, almost excluding those from abroad. Silver and plated ware, the richest glassware, porcelain, household furniture and pleasure carriages, every article of woollen and cotton clothing, copper, brass and tin wares, hardware, arms of all sorts, saddlery, and every thing else made of leather, drugs, paints and oils, tools, utensils, and implements of all sorts, every kind of machinery, from the smallest instrument of cutlery to a steam engine; nearly every thing that can be made of wood, iron, wool, cotton, glass, turs, the precious metals, whatever ministers to comfort, and most of the luxuries; all the substantial and ornamental means of habitation, subsistence, transportation by land and water, clothing and defence, are to be seen in every street, of every town, in every stage of process and transition, from the raw materials, which are abundant and excellent, to the removal of the finished article to distant places of purchase. The principal commerce among the several states of the union is employed in the transportation of domestic manufactures, and managed by domestic exchanges, which have increased above all computation within the last few years. They insure domestic tranquility, provide for the common defence, and promote the general welfare, by bonds stronger than any political ties; infinitely stronger than armies or navies. Protection to these resources is, as it were, the Providence of our political being, ever guarding the industrious citizen, while adding to the nation's wealth. Without

that Providence not a laborer, not an artisan, whatever his calling, but would be straitened and brought to ruin. Distress would be intense and universal. Stop the loom and the plough would work in vain; the ship would be un freighted, and universal stagnation would succeed to the present healthful activity of our land. Is there an American who would raise his ruthless hand against the system which prevents such a calamity? who would recolonize his country from an unnatural disgust for its own productions, and morbid preference for those of Europe? who would bow before the woollack of England, but spurn the golden fleece of his own soil?

Aversion to manufactures has engendered, of late, bitter local prejudices in parts of those states in which they do not flourish. Not long ago their promotion was in universal favor. When the venerable survivor of the framers of the constitution took the oath of fidelity to it, on commencing his illustrious presidency, the whole nation thought that he proved his patriotism by being clothed in a suit of American broadcloth. To doubt the constitutionality of protecting manufactures was not then conceived. Even to question the policy of promoting them was limited to very few. The statesmen and the patriots of the south were among the foremost to vindicate both.

The general pacification of 1815 exposed our market to the overwhelming force of English capital and skill, with more fearful odds than we had to contend against in the hostilities then closed with Great Britain. The inflexibility of her restrictive system, and the exuberant resources of our own country for manufactures, alone enabled us to withstand the great influx of her fabrics, and constrained us to protect our market by that system which has led to our present prosperity. Is it the cotton growing states who would subvert this prosperity and lay us once more prostrate before the power of our rival? Those states who, for the article of cotton, enjoyed a duty which did not merely promote but absolutely created its culture? a tax upon all the other states, which was represented as a grievance by the report of the secretary of the treasury in the very infancy of our government? a tax which diverted labor and capital into new channels for the exclusive benefit of those states, at the expense of all the rest? a tax which had not the remotest connexion with the revenues of the country, but was imposed merely for protection? Is it, above all others, the state of South Carolina that can complain of a protective impost, while she enjoys a heavy duty on indigo, which she has ceased to produce, and which therefore all the manufacturing states pay under circumstances aggravated by the fact, that while they are obliged to submit to this tax on an article indispensable to their manufactures, the very state, for whose benefit it was imposed, declines to cultivate the article?

By a special resolution of this convention, an inquiry was directed into the moral influence of our manufactures—in compliance with which we feel authorized to say, in a word, that the imputations sometimes cast upon the morals of manufacturing communities have proved, according to the experience of this country, to be without the slightest foundation. On the contrary, it is believed that the moral and religious education of those employed in manufactures is, at least, equal, if not superior, to that of other classes of the community.

In concluding this address we would take occasion to observe that the present posture of the affairs of the United States impress upon us the necessity of declaring what we believe to be the sentiment of the friends of American industry, in reference to a great question which must, in a short time, occupy the attention of congress. Up to this period, the revenue of the government has not exceeded its wants. The debt has required a system of duties that would supply at least ten millions of dollars every year towards its extinguishment. That debt, under the present course of liquidation, will soon cease to exist. The nation will then naturally expect some reduction of duties. Participating in the common feeling on this subject, we cannot close this address without respectfully submitting to public consideration the expediency of applying that reduction to such commodities as are incapable of being brought within the scope of the protective system; holding it, as we do, to be indispensable to the best interests of the American

people that that system should be sustained and preserved, without diminution in its application to every branch of domestic industry that may be benefited by its influence.

Thus, fellow-citizens, we have submitted to your consideration our views of the construction of the constitution upon the great question of protection. If it be the true one, you will sanction and sustain it; if it be otherwise, let it be rejected; for the constitution is the supreme law.

We have also submitted our view of the true policy of this country. We have stated and urged those principles, on which the system of protection rests, which we believe to be supported by the maxims of a sound philosophy, the experience of mankind and our own. It remains with you to determine, whether that system of protecting your own industry, under which you have long advanced and are now prospering, shall be continued or abandoned; whether you will hold fast to that which your experience has proved to be good, or yield yourselves the victims of rash and untried theory. That nearly five hundred of your fellow citizens should convene, from sections of the country more than five hundred miles apart, to consult on these engrossing subjects, is itself an argument of the deep solicitude felt by the country at large in their discussion. To have separated without indicating them, would have been a desertion of the trust committed to us. Their importance required that fullness of consideration which an enlightened and reflecting people have a right to demand. It has been our study to adhere to the utmost accuracy in our statement of facts, and to exercise the most perfect candor in our arguments. We therefore invite the strictest scrutiny to what we thus submit; whilst we are sensible that, with the advantage of more time than the session of the convention has afforded, it might have been presented in a more finished form. Deeply impressed with the gravity of the subject and the momentous aspect of our national concerns, we trust that our language has never departed from that tone of conciliation which becomes citizens of the same country differing from their brethren upon great questions of national policy.

But let us bear constantly in mind that the union, the happiness, the peace and the power of our beloved country depend on its domestic industry, without which these United States would cease to be an independent nation.

Let those who acknowledge this great bond of union never forget that "united we stand and divided we fall;" that sugar, and iron, hemp and lead, wool and cotton, and the other productions of our diversified soil, elaborated by our own indefatigable industry, and protected by our own free government, are, in effect, the government that holds us together, and make us one people; that the home market is the jalladium of home itself in all its most endearing and ennobling political and social relations; without which we have no common country, but should be reduced to the condition of dismembered and defenceless provinces. Let it therefore be the instinct of all who acknowledge its cause as their own, to stand together, like the fathers of the revolution; with no local jealousy, no impolitic preference of one part of our system to another, but maintaining a united and inflexible adherence to the whole.

Spontaneous conventions like the present originated our glorious revolution and our admirable constitution. May the Almighty Power that presided over their deliberations, and that has never yet failed to guard these United States, shed the gracious influence of his protection upon our labors!

WILLIAM WILKINS, of Pennsylvania, *president*.
JAMES TALLMADGE, of New York, *vice-president*.
GEORGE BLAKE, of Massachusetts, *secretaries*.
HEZEKIAH NILES, of Maryland,
JOSHUA W. PEIRCE, of N. Hamp.
CHARLES PAINE, of Vermont.

Signed, also, on the part of all the members of the convention—being from Maine 4, New Hampshire 20, Vermont 8, Massachusetts 62, Rhode Island 30, Connecticut 61, New York 146, New Jersey 47, Pennsylvania 100, Delaware 7, Maryland 34, Ohio 2, Virginia 3, District of Columbia 1—Total 523.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 11—VOL. V.

BALTIMORE, NOV. 19, 1831.

[VOL. XLI. WHOLE NO. 1,032]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE ADDRESS. The "United States Gazette" of the 17th, says—"It appears to us, that the persons in Baltimore entrusted with the printing and circulation of the address, have been less pointed in their neglect of the Philadelphia press. The New York papers, one day's mail beyond us, publish the address 24 hours before it is received in this city. Why is this?"

The question is properly asked, and we have every desire to make the necessary explanation. The permanent committee, before they separated at New York, ordered, (as the convention had been held in that city) that the publication should first be made there. It was expected by the chairman of that committee, that copies of the address would be forwarded to the New York editors by *Wednesday's* mail, and hence he left himself at liberty to put it in type for his own paper of *Saturday*; but as the copies could not be sent until *Friday* morning, he himself yielded obedience to the order by delaying the publication of the REGISTER until *Monday* noon, and subjected himself to all the inconvenience that follows such a proceeding.

Our friend, the editor of the "United States Gazette," had not observed a statement that we made concerning this matter, in our paper of the 5th inst. The Baltimore editors were as much "neglected," as those of Philadelphia.

"OUR COMMERCE IS CUT UP BY THE ROOTS," says the "Free Trade" press, while it boasts that the revenue from commerce will amount to thirty millions in the present year!—while the fact is, that the price of ships was never before so high, or the business of ship building so lively, since the close of the wars of the French revolution, as at the present time! We hear every day of the launching of splendid vessels. Let the grumblers go to the ship yards, and be comforted with the merry sounds of the hammer, the axe and the saw. They have not heard, what they may now hear, (and every where), for ten years past. And look at all our commercial cities! There will have been built in Boston, New York, Philadelphia and Baltimore, hardly less than six thousand good houses in the current year. The streets are every where lumbered with stone, brick, sand, lime and timber; old houses are every where being pulled down and new houses being built up. There is no "lie" in this, as the Indian said of the Frenchman's quack. These are indications of prosperity, and the success of the "American System," that cannot be mistaken—though they may be unnoticed!

"Commerce cut up by the roots," indeed! The fee in our chief seats of commerce is worth, at least, one hundred millions of dollars more than it was before the "abominable tariff" of 1824. Rents, (on interest on capital), have about doubled since then. A new operation in converting all the property-holders into tariffites. Ever New York, the great seat of Englishmen and English commerce, will soon shew itself a tariff city!

We cannot absolutely state the fact—but personal observation, and in the ranges of houses that we have seen (notwithstanding, have entirely satisfied us, that, from 1820 to 1824, our chief cities declined in population—but the desolation of the commerce-destroying tariff of 1824 came, and things are—beautifully, as they are! All is life, spirit, motion, and labor goes not superfluous to bed! Will the "free trade philosophers" tell us the cause of such prosperity—yea, and of the rise of lands, and increased comforts and profits of farmers, whose whole foreign exportations are of less value, (hardly one-fourth the value of the bread-stuffs and wool), than the supplies which they send to Massachusetts, Rhode Island and Connecticut, only.

A good many ships have lately been built and fitted out, as packets, in the same style as the "North America,"

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described before, from the New York Commercial Advertiser. It such things do not shew that "our commerce is cut up by the roots"—"the mischief is in them!"

Packet ship North America. Capt. Robert J. Macy, of the new packet ship North America, yesterday entertained a large party of friends on board. Those who participated in the banquet, speak in exalted terms of the viands, and of the courtesy of the host in dispensing them; and all who have the pleasure of an acquaintance with Capt. Macy, will readily credit their assertions. The North America has been built by the proprietors of the Old Line Liverpool packets, and takes her place on the 16th instant. She is represented as being one of the most finished and beautiful specimens of naval architecture, which has ever borne the American flag upon the main.

The North America was launched about six weeks since. She is of about 600 tons burden, apparently "uniting in her construction, durability, capacity and swiftness in her model; and her cabin combines neatness and comfort, without gaudiness, in an excellent degree. She has twenty-eight bunks, including eight in the ladies' cabin, which is placed aft—being a different location from most of the other packets, but not less convenient on that account. The cabin is of the Ionic order; the pillars and pannels are tastefully varied with satin wood, maple and mahogany. The curtains are all of light blue moor, ornamented with fringes. The dining room is a very capacious apartment, where thirty persons may sit comfortably down to table, without a mast to interrupt the view—besides this, there is room to dine twenty in the ladies' cabin. The skylights are so arranged, that an agreeable light is admitted into both cabins. The stern of this ship is tastefully ornamented; in the centre is a rising sun, above which is a spread eagle perched. On either side rises a female figure, Ceres and Liberty, we presume—on the left hand of the former are implements of agriculture, and the fruits of the husbandman—on the right of the latter, are bales of merchandise, and a ship in the distance, the whole encircled in a golden moulding. The bow is modest and neat—it presents nothing more to the eye than a scroll." In one word, this ship is another noble and beautiful evidence of the taste and enterprise of her owners. We hope she will perform in all respects equal to the expectations of the skilful and accomplished gentleman who is to walk the deck as her commander, and produce golden returns to her owners.

REDUCED DUTIES do not always affect prices to consumers. The duty on coffee was lately reduced 3 cents per lb. on molasses 5 cents per gallon, and on salt 5 cents per bushel—but coffee has been worth about 2 cents, molasses a cent, and salt 10 cents more, than in the last year. It is scarcely or supply that mainly affects price: 800,000 bales of American cotton will sell for more money than 1,000,000, and 25,000 hds. Maryland tobacco for more than 30,000 hds. But when more is produced than the market will freely take—and the price, per lb. declines—the laws of trade are set aside by "bitterness and cursings" of the tariff, as the author of every evil. If the south will "nullify" quantity, there will be no reason to complain of price!

CALCULATION! We see a very nice estimate of the duties levied in Great Britain and the United States on the iron, duck and cordage required to build and fit-out a ship of 300 tons. The difference is made up in the sum of 1,655 dollars 89 cents, exactly, in favor on the British builder! So much for theory. Against this we plead the fact—THAT FREIGHTS ARE LOWER IN AMERICAN THAN IN BRITISH VESSELS! Will the southern papers (deeply interested in navigation, as all southernners have lately become!) tell us how this happens?

Is not the "proof of the pudding in the eating?" Will Mr. Thomas Ritchie, who knows a little more than every thing, explain—at this "momentous crisis?" We plain forward folks regard *practical results* more than the "rules of the schools."

There is "free trade" in our navigation with Britain, and we excel in it: so shall we in *manufactures*, when they have been nursed half as long, and efficiently, as we have nursed navigation. In respect to many articles, the product of labor in both countries, our prices are as low as the British—instance cotton goods, and British counterfeits of our marks upon them! We shall have some curious facts about these things to present to our readers, before long.

MORE CALCULATION! Sundry newspapers give us calculations as to the cost of certain articles in England and the United States: for instance, that cloth, worth 100 cents the square yard in the former, costs 145 cents in the latter, &c. But these folks forget another important comparison of prices,—that, while from 22 to 30 cents are paid for a day's labor in England, from 62½ to 75 are paid for such service in America; and that, in the latter, bread and meat are at much less than half the prices that they bear in the former—hence, the difference in wages for a week enables the American to pay the "tax" on all the cloth that he needs for a year—to say nothing of his cheaper and far better subsistence!

NO PLEASING! That oracle of the North, the "New Hampshire Patriot," regards certain resolutions of a meeting at Concord, in which it was recommended that the duties on certain articles, (not produced or manufactured in the United States), should be reduced, as an *abandonment of the tariff policy*—but the oracle of the South, the Charleston "Mercury," gives us to understand that such a proceeding, instead of relieving, would *aggravate the burthens of the south!*"

FREE TRADE. A writer in a New York paper gathers glories of free trade from *Tyre, Palmyra and Venice!* It answered very well, when the merchants of these cities placed the value on all kinds of commodities within the wide range of their commerce. But the writer, so far as we observe, gives no example of *practical free trade* in the present state of the civilized world, between different nations—and we guess that he will not easily find one!

MORE OF IT. England's "free trade" is to *export* her woollen, cotton, iron and other manufactures, without restriction—by the laws of any foreign country; and to *exclude* wheat and other corn, beef, pork, lumber, fish, &c.,—all the necessities of life, whether products of the soil or of manufactures, that may, in any wise, come into competition with her own industry! Will some one of the "British party in America" shew us her exceptions to this policy? Does she not tax our tobacco a thousand per cent. and our rice one hundred per centum? Nay, even place a duty on our *castor oil* equal to the first cost of the article, needful as it is to a whole-some freedom? We shall enlarge these suggestions at a season of more leisure than the present.

HEMP. We soon expect some very important information as to the domestic production of this highly interesting material. We think it will probably appear, that the high duty imposed on it is about to have the general effect of our protecting laws, and *reduce the price of the article below what it was before such duty was assessed.* If this shall prove to be the fact—any small temporary inconvenience or loss that may have been encountered because of the encouragement offered to the domestic cultivation of hemp, will be a thousand times reimbursed in the benefits conferred on the agriculture of the United States, in the possession of a new and valuable staple commodity, to say nothing of its effect in rendering our country independent, for a material which is indispensable to private prosperity—and national defence. Except in respect to cotton, the European demand for the products of our fields is not worth counting up—if to be compared with the value of the home market for them, (and the crops of potatoes,

turnips and cabbages are quite as valuable as that of cotton)—and whatever profits agriculture, in domestic supplies, necessarily becomes a matter of *national interest*, and this is especially one by which all sections of the union may be benefited. The rich lands of the west and south, will, we think, in a very few years, under the benign influence of the protecting system, enable us to become *exporters of hemp*: in the growth and preparation of which many thousand persons employed will be additionally set aside, as it were, to give new life and spirit to the market for bread-stuffs and meats. It is by such co-operations that communities become powerful and rich—that population advances, and plenty abounds.

UNITED STATES WHALE FISHERY. The following very interesting summary view of the extent and importance of the whale fishery of the United States, has been furnished us by a gentleman well acquainted with the facts pertaining to this branch of industry.

The average length of the voyages of vessels engaged in fishing for spermaceti whales, is thirty months.

In this fishery are employed 170 ships, or tons. 62,900

Valued at 30,000 dolls. each. dolls. 5,100,000

And employing 30 men each. no. 5,100

The outfit of each ship, for a voyage of thirty months, is about 20,000 dollars—chiefly in the products or manufactures of our own country.

The average length of the voyages of vessels engaged in the common, or right whale fishery, is between 8 and 12 months, and in this there are employed—

120 ships, of 330 tons each. tons 39,600

Valued at \$20,000 each. dolls. 2,400,000

And employing 25 men each. no. 3,000

The outfit of these vessels averages 9,000 dollars.

Recapitulation.			
Ships.	Men.	Tons.	Value \$.
170 sperm.	5,100	62,900	5,100,000
120 com.	3,000	39,600	2,400,000
290	8,100	102,500	7,500,000

The average product is estimated at—

120,000 bbls. sperm. oil, at \$22. 2,640,000

100,000 common 9 900,000

\$3,540,000

It would be curious to pursue this important business in all its parts—beginning with the falling of the trees in the forest to build the ships, and ending with the final sales of the oil, or candles, manufactured. We think that it must afford a subsistence to not less than fifty thousand persons. And the general product would leave for every one—man, woman or child, *seventy dollars a year*, in the annual profit.

NANTUCKET. The editor of the Nantucket Inquirer, correcting an erroneous description of the island on which he resides, says:—"The exports are of the *spermaceti* whale oil, as well as right whale oil, whale bone and sperm. caniles. There are 50 manufactories of oil and candles. There were in 1829, 60 ships employed in whaling from this port. There are now 62 ships belonging to the port, and wharves are building for the whaling business. The value of this fleet as fitted, for sea, amounts to about 2,000,000 dollars."

WOOL. A letter from Georgia, enclosing five dollars for a new subscriber to the REGISTER, says:—"I remember to have heard an Englishman, in 1804, assert, that the time would never come when a sufficiency of wool would be produced in the United States to make a pair of stockings for every cat in them."

The woollen manufacture of the United States has now a greater value than was that of England when it became the *pet and pride* of the government and people of that country—both which were, and still are, ready to quarrel with all the world to protect and extend it! And, as to the Englishman's notion about the product of wool in the United States, we have good reasons for the belief that last year's crop of wool was worth about as much as that of cotton. But we do not wish to anticipate the facts soon to be disclosed through the committees of the late New York convention.

The little state of Vermont is believed now to have a million of sheep—the last “grand list” showed nearly 800,000. The flocks will be greatly increased next year. Vermont exported raw wool, of the last crop, worth a million of dollars—notwithstanding the large amount of her household and other manufactures of wool.

BALTIMORE AND OHIO RAIL ROAD. A large party, consisting of the president and directors of the company, the mayor and city council, and a number of other gentlemen, took an excursion on this road to Parr's Spring Ridge, a distance of forty miles, on Saturday last—examined the inclined planes erecting there, dined at their leisure, and conveniently returned in the evening, at the rate of about 10 miles an hour—all delighted with the journey, and more and more gratified with the execution of this splendid and substantial work. In about two weeks the whole road will be opened to Frederick, and some interesting interchange of courtesies will take place between the worthy inhabitants and corporation of that city and those of our own.

The public stages, now proceeding to or from the west, pass these forty miles on the rail road.

The road, at Parr's Spring Ridge, is about 630 feet above mid-tide at Baltimore—or an average rise of nearly 16 feet in a mile.

We copy the following interesting sketches from the “American.”

“The inclined planes, as our readers are aware, are designed to accomplish, by means of stationary engines, the easy and rapid passage of Parr's Ridge, the dividing ridge between the waters of the Patapsco and Potomac, and the only point on the long line between Baltimore and Cumberland, where stationary power will be required. The apex of the ridge is more than eight hundred feet above tide. Most of the company ascended to the summit on foot, passing over the first and second inclined planes on their way. The visit was truly gratifying, and was calculated to make a strong impression as to the magnitude and difficulty of the work. The planes are four in number, two on the eastern, and two on the western side of the ridge. They are perfectly straight, for the purpose of attaining the greatest degree of efficiency. The first plane is 2,150 feet long, with a rise of one foot in twenty-six, and a total rise of a fraction over eighty feet. Then succeeds an exact level of 3,674 feet, terminating at the foot of the second plane. The level here spoken of crosses the Frederick turnpike at the thirty-first mile, the rail road being carried over the turnpike and a small stream running at its side, by a handsome double arched viaduct of stone. The length of the second plane is 3,000 feet, with a rise of one foot in thirty, or a total rise of one hundred feet. The upper end of the second plane terminates at the top of the ridge, where there is a level of six hundred feet, affording full space for the advantageous location and operation of the stationary engines. At the western end of the summit level, the third plane commences; its length is 3,200 feet, with a descent of one foot in twenty, or a total descent of one hundred and fifty-nine feet. Then succeeds a level of 3,687 feet, terminating at the head of the fourth plane. This last plane is 1,900 feet long, with a descent of one foot in twenty-three and a half, or a total descent of eighty-one feet.

“The united length of the four planes is nearly two miles, and the length of the levels between and attached to them more than a mile and a half, making the extent of this formidable work three and a half miles, one half of which is on each side of the apex of the ridge. It will have been observed, however, that the height overcome by the planes is not equal on both sides,—that on the eastern side being one hundred and eighty feet, and that on the western side two hundred and forty feet. The rails are laid down on various parts of the planes and levels, and every assurance is given that the passage of the ridge by horse power,—which is designed to be employed for the present,—may be accomplished in a about a fortnight from this time. The location and construction of the planes have been prosecuted under the immediate direction of Jonathan Knight, esq. the company's engineer-in-chief, who has thus given a new and striking evidence of his peculiar fitness for the re-

sponsible station confided to him. The passage of the ridge, we are confident, will be generally regarded as amongst the most interesting and imposing features presented on any part of the road. The contrast which the scene presents, after emerging from the narrow valley of the Patapsco and ascending to the summit of the ridge, is very striking. The wide and fertile valley of the Monocacy presents a beautiful and highly picturesque landscape, the interest of which is heightened by the more distant but not less distinct view of the Blue Ridge, the first of the range of the Alleghenies which meets the eye of the traveller on his journey westward.”

THE CHARLESTON AND HAMBURG RAIL ROAD—139½ miles of this road are under contract, and a great deal of the work has been done—637 persons are employed in forwarding it. It will be a highly profitable enterprise—and a most useful one.

THE GRAND OHIO CANAL IS NOW navigated from lake Erie to Chillicothe—two hundred and fifty-nine miles. What “jewel” like this can the “ancient dominion” shew? What like source of profit to her population has she?

“THE POINT OF ROCKS.” In the chancery of Maryland. The Baltimore and Ohio rail road company, vs. The Chesapeake and Ohio canal company.

Decreed, that the injunction heretofore granted in this case, be and the same is hereby confirmed and made perpetual. And that the defendants pay unto the complainants, the Baltimore and Ohio rail road company, all their costs expended by them in this suit, including all the expenses of the survey.

[This case will go up to the court of appeals, and from thence, most probably, to the supreme court of the U. States, and the progress of our rail road, we suppose, be arrested until a final decision is had. We regret to feel compelled to say, that a dog-in-the-manger policy seems to prevail in respect to this matter, on the part of the canal company. We understand that both works, by making a joint concern, may pass the Point of Rocks for much less than double the sum that it will cost either, if going on separately.]

BRITISH FLOUR MARKET. The deceptive accounts from England, and the operation of her uncertain duty on bread stuffs imported, are calculated to have caused the loss of at least a million of dollars to American shippers of flour, in the present year. Nothing but half-starvation in John Bull will permit us to make fair exchanges even of bread, (and he rejects our meats altogether), for painted muslins or log-wood blue cloths.

MR. THOMAS RITCHIE. The following is extracted from a letter from one of the most respectable gentlemen of Virginia, addressed to the editor of the REGISTER:

“About the commencement of the current year, I became a subscriber to the ‘Richmond Enquirer’ mainly with a view of witnessing the progress of the battle, which, as I understood, was under contract between you and friend Ritchie. I am grieved, for the honor of my state, that my venerable fellow citizen has “backed out.” You will excuse the old gentleman however, in-as-much as he has been thrown into a peck of troubles by the splitting up of political parties. It has been the study of his life to keep in the majority; but, if things don't take a turn, it will puzzle even himself to find a safe resting place. His daily orison is “where the great numbers are found, THERE let me be also.”

“I join thousands of my countrymen in thanking you for your successful efforts in the promotion of the true interests of your country.”

“I don't intend to let Mr. Thomas Ritchie know, that the arduous duties which have devolved on me, as chairman of the permanent committee of the friends of domestic industry, (raised by the convention lately held at New York), will utterly prevent my proceeding into the long-expected discussion concerning the tariff question, generally,—which he promised many months ago to enter upon: for if he knows that—if he knows that my “hands are tied” for at least the remainder of the current year, he will lustily call out “who's afraid,” en-

large his paper, and challenge me to meet him, before a quick-speaking man could say "Jack Robinson!"—For this gentleman is ever valiant and prompt, when an adversary is weak or embarrassed; and will not "back-out" when "saw and sarten" of obtaining an advantage over an opponent—even by "striking him when down." He seldom "hits hardly" at any person who is up! That which he had trampled upon as a "nuisance," being elevated,—naturally obtains his homage. Such is his practical interpretation of *obsta principis*, at every "crisis!"

In a deep sense of humility, I dedicate the following pregnant paragraph to Mr. Thomas Ritchie—always orthodox!

Orthodoxy. The most exact description of this word I have ever seen, is that said to be given by Dr. Fothergill, a physician and Quaker preacher of England. As he was a noted man, multitudes went to hear him preach. According to the common practice of that order of people, he sat sometime in silence. He then rose, looked round on the assembly, and thus addressed them—"My friends, I have been thinking of one word of three syllables, and that one word is *orthodox*." Here he paused for some time, and then proceeded to say—"And, my friends, I have been thinking of one word of three syllables, which explains it, and that one word is *uppermost*." He proceeded no farther, but sat down. The assembly separated and went to their homes. Some at first complained of going so far to hear but two words, but afterwards, it was agreed, that the doctor delivered a very great and true sermon, and one easy to remember."

☞ The "Richmond Enquirer," always dissatisfied with the proceedings of persons unless himself directing them, has the following paragraph, concerning the late convention held at New York. [8th Nov.]

"In reading over the large list of delegates which attended this convention, and the states from which they went, we were desirous of obtaining one species of statistics, viz. the classes of employments to which they belonged—how many were manufacturers—how many farmers, (not of the woollen interest)—how many merchants—how many gentlemen who have written a book in favor of the tariff—in other words, how many delegates had a special interest in the subject, and how many were disinterested citizens. (1) The greater ease with which moneyed manufacturing capitalists can contrive for carrying their points, than the great body of the consumers, is specially noticed by the economists on the other side of the water, particularly Adam Smith. With how much more effect they oppose all changes against them, has been further illustrated by the saying of the English statesman, who compared the people to sheep quietly laying down to be fleeced—and these moneyed people to hogs—touch a single bristle of them, and you put the whole sty in an uproar.

"The N. Y. convention has shown no little sagacity in taking as many interests as they can into their concern. They are aware that their strength arises from the combination; and hence their anxiety to spread their net as wide as possible. Hats, cabinet ware, and coppers—have been enlisted, as well as cotton, wool and sugar. Sugar has not appealed in vain—and even salt has had its eloquent representatives. Nothing comes amiss to those who are strong only in their union. If good discipline be aided by numbers, they must prove irresistible. They are like regular troops. Increase their army, and they are invincible. Whereas the great body of the people are like your ill-trained militia—who fight to a disadvantage, because they want discipline. (2)

"What strikes us, however, as the most singular feature in the N. Y. proceedings, is the creation of a committee to examine the effects of the protecting system, upon the currency of the country.—Do they mean to make common cause with the bank of the U. States? to treat it as a part of the grand American System—and to club their interests and strength with those of that mammoth institution? (3)

"Whether it be so or not, we cannot but admire the strong police which they have thrown around their combination. Here we have a central committee—also the monarch of the memorial. Here we have two committees to be established in each of the tariff states—depu-

ties not only to congress, as the other convention has, but an effort to enlist the legislatures of each tariff state in their behalf. Here also is a convention to meet in Cincinnati in January next—and another general convention in 1832, if called for by the central committee. In a word, their organization is very powerful; and it becomes the people to be on the alert—and avoid the fleecing as much as they can. "The Philistines be upon you." (4)

NOTES BY THE EDITOR OF THE REGISTER.

(1) I cannot tell. There were very many farmers, a considerable number of merchants, a large representation of mechanics and manufacturers, and perhaps one hundred gentlemen who were as "*disinterested*" as intelligent friends of the United States can be to the question, for or against it.—But I do not know what sort of *furmes* Mr. Ritchie would have, if "not of the woollen interest"—the crop of wool in New York having been worth, in the present year, at least twice as much as the tobacco crop of Virginia, and that of little Vermont more valuable than the rice crop of North Carolina. The "whole hog" idea about the "bristles," is entirely in character.

(2) If the "great body of the people" were represented by the enemies of the protecting system in congress, in 1828, they cannot be called "ill trained," for on that occasion George Kramer, C. C. Cambreleng and John Randolph voted for the duty of 10 cents per gallon on molasses, with the members from the south generally! Hats and cabinet ware, as well as cotton, wool and iron—and sugar, are protected. The mechanics have as deep an interest in the matter as the manufacturers—if a line may be drawn between the two interests, which it is not easy to do. In general, they are the same class of persons.

(3) To relieve Mr. Ritchie, we can inform him that the committee on the currency has no relation to the bank of the United States. It has entire reference to the influx of specie, when the domestic industry prospers, and its reflux when excessive importations of foreign goods ensue, and British agents succeed well in deranging the revenue.

(4) "The organization is very powerful"—and so it needs must be when it takes in, at least, the very least, two-thirds of all the citizens of the United States.—Will these hurt themselves? Who are the "Philistines?" Has population no relation to power? Let Mr. Ritchie take care of his own dominion! Virginia, if not now, will soon be a tariff state. The home market for all her products, except tobacco, is worth fifty times more than the foreign one. Massachusetts takes more of her flour than all Europe consumes. The people will find this out—after a while; having discovered that *pantalons* are more convenient than breeches, and that there are better estimates of value than pounds of tobacco!

I caution Mr. Ritchie the more confidently, because of what has happened in Maryland. A short time ago, we had only one tariff representative—a true and faithful one, indeed, Peter Little; now we have seven positive, one probable, and one only against us! And what is the strangest of all—the worthy and distinguished gentlemen who represent our two tobacco-growing districts, openly and manfully presented themselves to the people as "tariff-men," and, as such, were elected by triumphant majorities. Only think of that, Mr. Ritchie!

NEW YORK ENQUIRER. The editors of this paper, with their usual disregard of truth, made several attempts to sow dissensions among the members of the late New York Convention—thinking, perhaps, that the gentleman composing it "didn't know" them! But they spoke uselessly—and the result, and not the effort, must have dissatisfied them; for, had misrepresentation availed them, they would have been proud of it! Such is the morality of this press—the senior editor of which is a person "rewarded" by a high office under the government of the United States—and he is ably seconded by his *mahogany-log* and *percussion-stroke* coadjutor!—whose interview with the editor of the U. S. Telegraph has made all men laugh, whose love of the ridiculous transcended their feelings of contempt.

Many things appeared in the "Courier," which we see copied into some of the small country papers of New

York, and certain in other states. We shall notice only the following from that paper of the 2nd inst.

"It is not a trifling incident in the history of the late tariff convention, that a majority of them applauded when Mr. Goddard justified the proceedings of the Hartford convention—a body deemed to have such reasonable designs against the liberties of the country, that the late Daniel D. Tompkins, then governor of this state, had positive instructions to hold his command in readiness to arrest the whole body for treason; and on one occasion, in pursuance of the discretionary power vested in him, actually wrote an order for their arrest! Yet an eulogy on this body was applauded by the late convention."

It is sufficient to say, that the preceding is false.

We shall carry-out this matter by simply stating a recent occurrence. The editors of the "Courier," pulling and blowing about the superiority of their own paper in the way of news, fabricated a number of articles, as it received by the ship Ajax—stating that Warsaw had not surrendered, &c. They circulated these manufactures, and some of the other editors accepted them as truths. But those of that old and respectable paper, the "New York Gazette," soon detected the fraud, and offered "fifty dollars reward for the detection of the villain who had been guilty of it." "In the course of the day," says the Gazette, "we were informed by several persons of respectability that James Watson Webb, one of the editors of the Courier and Enquirer, had declared that he 'wanted to claim of us the reward;' and we leave our readers to imagine our surprise on reading the following dun, in Webb's paper of yesterday morning.

(COPY.)

"We will thank friend Lang, of the Gazette, to send us over our \$50 reward this morning, at 12 o'clock precisely."

At 12 yesterday, Webb's own hour, the following note, and the receipt enclosed, was handed to the said James Watson Webb. Up to the time of our paper going to press, no reply was received by either of our concerns.

Gazette office, Nov. 3, 1831.

"In compliance with a request in this morning's Courier and Enquirer, the enclosed receipt for fifty dollars is sent for Mr. Webb's signature. When the receipt is returned, properly signed, the fifty dollars shall be sent by the bearer of it.

LANG, TURNER & Co."

Copy of the receipt, intended for James Watson Webb's signature:

"Received, New York, Nov. 3d, 1831, of Lang, Turner & Co. fifty dollars, which sum they offered for 'the apprehension of the VILLAIN' who imposed upon them with the arrival of the ship Ajax; and I acknowledge myself to be the guilty person."

Mr. Webb ought to have "gone the whole"—signed the receipt, and pocketed the money!

THE SOUTH is even yet filled with rumors and agitations because of the slaves,—which are kept alive, or increased, by some few acts of individual violence. We apprehend, however, that an extensive operation has been going on to cause a general excitement among the slaves, and hence the people are much harassed, in many parts of the country—not knowing whom to trust in their condition in which they are placed. There have been many executions in Virginia and North Carolina, and some, we believe, in other states—about which little has been said in the public papers.

The famous Nat Turner was taken in Southampton county, on the 30th ult. His place of concealment was in a cave, not many miles from the theatre of his bloody exploits. He has been tried, found guilty and hung, and his body given to the surgeons.

Various severe measures are contemplated against the free people of color—some even in Maryland. There is a disposition to expel them from the slave-holding states: it can hardly be expected that the free states will receive them. What, then, is to be done? This is, indeed, an important question. Shall the unfortunate creatures be driven back and forth, and suffer the "penalty of the law," because not allowed to have a home any where? A strong and vigorous action in respect to this matter, will speedily force itself upon the public attention. It is not to be supposed that the present agitated state of the white population of the south, will, or can,

be endured. It will be relieved by violence—if peaceful measures are not adopted. We do not wish to go into particulars—but society is placed in a very distressing condition, in many parts of the south, filled with doubts, and alarmed by the most trifling and really harmless occurrences. It especially becomes a free people of color to be guarded in their conduct and conversation. They may do much harm to the whites—but, in so doing, seal their own destruction.

Several vessels are about to depart with passengers for Liberia. The export of slaves, *unlawfully*, is large. Their reception, it is thought, will be denied in some of the states.

It is charged against the slaves lately condemned, that a number of them were "preachers of the gospel!"—and that those who had been the most kindly treated and were the best informed, were most prominent. The bearing of these remarks is easily seen, and will add to the burthen of suffering.

NATIONAL REPUBLICAN CONVENTION. John B. Morris, esq. has been appointed to represent the city of Baltimore in the convention which is to assemble in this city in December next, in place of William Hunt, esq. who resigned his appointment on accepting the anti-masonic nomination for the presidency of the U. States.

A LITERARY CONVENTION was opened at New York on the 5th inst. and continued several days. On motion of Mr. Gallatin, Mr. Adams, late president of the United States, was called to the chair. The business transacted is interesting to literature and science—but we cannot go into details of the proceedings. The meeting was numerous, and highly respectable for character and talent.

DR. RANDOLPH, late clerk in the war department, has been appointed "general messenger"—(so it is stated), to our ministers in Europe.

MAZON EATON has partaken of a public dinner at Nashville—the mayor of the city, presided, assisted by the speakers of the senate and house of representatives, the legislature being in session. On being toasted, major E. rose and addressed the meeting, returning his thanks, and presenting a general view of the course of the administration, and concluded by offering the following sentiment—

The members of the general assembly of Tennessee, and the inhabitants of Nashville. United to-day around the festive board—they know and feel no other rivalry, than as good and faithful citizens, to serve with fidelity their country and maintain its best interests.

One of the regular toasts was in these terms—

Woman. Where woman is the theme, pained by the hand and blistered the tongue, that could be raised but to defend her or speak but to praise her.

The following were among the volunteers—

By Dixon Allen, esq. of the house of representatives. Unworthy indeed is that spirit of party which would own its success to woman's ruin.

By Capt. P. H. Newell. Hon. John H. Eaton—He has perilled his all in the cause of re-
sterling integrity and political honesty have concentrated on him all the slander and abuse of disappointed ambition—he has suffered much, but has gloriously triumphed—Tennessee will not forget to reward him.

By Thomas J. Campbell, clerk of the house of representatives. A resolution in favor of electing Andrew Jackson to the presidency a second time.

And the question being taken on agreeing thereto, it was unanimously determined in the affirmative.

By James D. Smith, of Jackson county. The Hon. John H. Eaton—His warm reception at Nashville is but the echo of Tennessee's undivided voice.

By Francis Campbell. Jackson and the re-organized cabinet—behold how good and how pleasant it is to dwell together in unity.

By Mr. Robinson of the house of representatives. Hickory oil—the best antidote against Kentucky Clay.

By Gen. Cheatham of the house of representatives. The bank of the United States—it has given us a sound currency—beware of its prostration.

By W. H. Bedford. May all aspirants to office under the cloak of anti-masonry be nullified and meet with the fate of the British below New Orleans.

By capt. T. P. Minor. *Martin Van Buren*—"The great magician," whose wand has been so potent in promoting the interests of his country.

By McClellan of the senate. *The president of the U. States*—the anchor of hope against a proud and monied aristocracy, whose mighty engine is the United States bank.

By col. Wyly, of the senate. *The present bank of the United States and the tariff*—the best policy of our government requires a modification of the latter, and a refusal to re-charter the former.

MR. RANDOLPH. This strange ex-minister from St. Petersburg, who was too sick to do business—too sick to call at Washington on his way home, too sick to do any thing—has, as we learn by the Lynchburg Virginian, made a *three hours speech* to his "dear constituents." It is now just about nineteen years since the legislature of Georgia repudiated his name, (which had been given to one of the counties of the state), because of his "desertion of correct principles," and that his name "was odious to every republican citizen;" when also the venerable Mr. Ritchie called him a "nuisance and a curse"—but now it is "orthodox" to regard him as almost "a god"—because that he *talks*: Whatever hath he done but talk? The idea that such a man would attend to business, was hardly less ridiculous than that the legacy of £10, which some one left to pay off the national debt of England.

CON. PORTER has arrived in the U. S. ship John Adams at Constantinople, as charge to Turkey. The ship was permitted to pass the Dardanelles, and a letter from Smyrna, dated Sept. 20, says that he had had an audience with the grand seignor, and that the negotiation had terminated favorably. It is considered as a material change in the etiquette of the court of Constantinople, that a diplomatic agent, under the rank of an ambassador, should have obtained an audience with the "brother of the sun and moon," who begins to find out that the *stand-still policy* is reducing the comparative power of his empire—as we hope that some other persons, much nearer home, may speedily do! The spirit of improvement is abroad—and dominion follows it.

MR. POINDEXTER. The official station of this gentleman, induces us to copy the following letter from him to gen. David. Dickson.

Warm Springs, Va. August 13, 1831.

Dear sir:—I received your favor from Jackson, addressed to me at Washington city, and am for the first time informed, that you had not seen my letter addressed to you at Vicksburg.

You state, that an impression was made on the public mind by the contents of that letter, or some other matter—that I have deserted the Jackson cause. There is no foundation for the rumor unless my admission to print, *against the known rights of my constituents* is, considered a desertion of that cause. I cannot consent to worship men; I bow only at the shrine of principles, and when these are departed from by any man in power, be he Jackson, Calhoun, Clay or any one else, I depart from him so far as his actions conflict with the good of the country, and the rights of my constituents. If this is heresy, then am I a heretic; but I know the people of Mississippi too well to suppose for a moment, that they wish me to sacrifice them on the altar of personal ambition or private interests. So far as gen. Jackson conforms his action to the constitution and the good of the American people, he will have my hearty support, and no farther. No honest man would expect or desire more. Gen. Jackson has done much good for the country, which I duly appreciate, and award him my thanks for the benefits resulting from these measures; but it is undeniable that he lends his ear too readily to individuals near his person, who are incompetent to advise him, and unworthy of public confidence; they sometimes lead him into errors which no one deprecates more than I do, because they operate against the cause which I have warmly es-

poused, and tend to bring into power men whose principles I cannot approve. Such men speculate upon the capital of the "old hero" without paying interest, and it will be well, if they do not exhaust the principal before the end of his term. You have doubtless seen all that has passed at Washington, concerning the late cabinet, &c. These events have withdrawn many of the warm supporters of gen. Jackson, but if the pending contest for the presidential chair is confined to Clay, my opinion is the president will be re-elected.

JUNIOR MARSHALL, we are happy to learn from the Philadelphia papers, has so far recovered, that next week he intends to hold the circuit court for the southern district of Virginia, from which he was never known to be absent since his appointment to the bench.

GEN. VAN CORTLANDT. From the Westchester, N. Y. Herald, of Nov. 8. We have to lament the death of another distinguished patriot of the revolution, gen. PAUL VAN CORTLANDT, of this county, died at his residence in the town of Cortlandt, on Sunday, the 5th instant, at 8 o'clock in the evening, aged 82 years. He was at the time of his decease, the senior surviving officer, in this country, of the army of the revolution. During the revolutionary war he was the companion of Washington and Lafayette. He had the command of a regiment in the continental army in the line of the state of New York, and served his country in that capacity honestly and faithfully, enduring every hardship and privation, until the close of the war. He was at the taking of Burgoyne, at Saratoga, and distinguished himself as a gallant officer at the battle of Bemans Heights, previous to the surrender of Burgoyne. He was one of the members from this county of the state convention, held at Poughkeepsie, in 1788, for the adoption of the constitution of the United States, and his vote was recorded in favor of that sacred instrument, which was carried in this state by a majority of only three. He was afterwards elected by his fellow citizens a member congress of the United States, and served his country in that capacity for several years in succession, with much ability. He was remarkable for his personal dignity,—and combined two traits of character seldom united in the same person, loftiness of manner with urbanity of disposition. No man was held superior in estimation, either on account of amiableness of manners, or benevolence of heart.

A COMPLIMENT! The editor of the New Hampshire Patriot says—"We had rather be the writer of Mr. Eaton's appeal, than be the author of any thing or every thing which has fallen from the pens of J. Q. Adams, Henry Clay, Daniel Webster, Edward Everett, John Sergeant and William Wirt."

FLORIDA. It will be recollected that the governor of this territory, having pronounced a tie between colonels White and Gadupis, as its delegate in congress, ordered a new election; but it seems that on the day appointed, some places of voting were neither attended by the judges of the election nor the people. At others, however, they were partially attended, and the votes appear to have been nearly unanimous for col. White.

FAYETTEVILLE. A meeting of the sufferers by the fire which swept down the town of Fayetteville, in North Carolina, in May last, was held at that place on the 26th ult. The committee appointed on behalf of the unfortunate sufferers, submitted to the meeting a statement of the amount received from the several states, towns, and individuals. The gross amount is a little upwards of \$92,000. A committee was appointed to make a suitable acknowledgment to the contributors, for their great liberality and kindness.

[A list of the places from whence the money was received, we suppose, will be published. *It ought to be.*]

COTTON. The following summary views are abstracted from the "New York Shipping and Commercial Register."

GROWTH.

Total crop of 1824-5.....	560,000 bales.
Do do 1825-6.....	710,000
Do do 1826-7.....	937,000
Do do 1827-8.....	712,000
Do do 1828-9.....	857,744
Do do 1829-30.....	976,845
Do do 1830-31.....	1,038,847

CONSUMPTION.

To estimate the quantity manufactured in the U. States, we take the growth of the year 1,038,847 bales.

Add—Stocks on hand at the commencement of the year, (1st October, 1830)—In the Southern ports 20,898	
Northern ports 13,997	
	34,895
Deduct therefrom—The export to foreign ports 772,783	
Stocks on hand at the close of the year, (1st October, 1831)—In southern ports 42,956	
Do northern do 76,467	
	119,423
	892,206
Less—Foreign cotton, included in the export 606	
	591,600

Quantity consumed and in the hands of the manufacturers, 1830-31 182,142	
Consumption of 1829-30 126,512	
Do. 1828-9 118,853	
Do. 1827-8 120,593	
Do. 1826-7 103,483	

The crops as received or produced, are thus put down for the years 1830 and 1831, ending 30th Sept.

	1830.	1831.
New Orleans 354,024	426,485	
Florida 5,787	13,073	
Alabama 102,684	113,186	
Georgia 253,117	230,502	
South Carolina 188,871	185,166	
North Carolina 36,862	36,540	
Virginia 35,500	33,895	
	976,845	1,038,847
		976,845

Increase 62,002

Export to Great Britain 595,713	618,718
France 200,791	127,029
Other European 42,212	27,036
	595,713
	618,718

[We are of opinion, though the preceding statement may be as correct as the nature of things will admit of, and have no doubt that it has been made up with great care—that the given amount of the production and domestic consumption must both be considerably short of their real quantities. Much cotton is consumed in the household manufactures of the states in which it is grown—much is shipped from the small ports and not counted—much is carried from Tennessee, &c. inland, and reaches Baltimore, &c. and large quantities ascend the Mississippi and Ohio, for the use of the western factories and people—a part of which also arrives on the seaboard, by wagons.]

BRITISH EXPORTS OF GOLD AND SILVER. A London paper of September 24, says—The exportation of the precious metals continues on a most extensive scale. Since the commencement of the present month, the entries for the shipment of gold and silver coin at the custom house, have exceeded 1,500,000 ounces. The entries for Hamburg have been 560,000 ounces of silver, and 26,000 ounces of gold coin and bars. For Calais, 270,000 ounces of silver, and 15,000 ounces of gold coin. For Rotterdam, 20,000 ounces of silver, and 33,000

ounces of gold coin. For St. Petersburg, 210,000 ounces of silver coin, and for Riga, 10,000 ounces of silver coin. The value of the gold and silver coin and bars, entered for exportation, is nearly a million and a half sterling, in addition to the very large amounts entered for exportation during the previous month.

[Why these exports have taken place is not suggested.]

HORTENSE BEAUCHARNAIS. It appears from the celebrated debate which commenced in the French chamber of deputies on the 21st September, that this lady, the daughter of the late empress Josephine, took refuge in France when the revolution broke out in Italy. M. Pevier, the president of the council, in his speech, thus alludes to the circumstance. It will be recollected that one of her sons joined the revolutionists, and that his life left a sacrifice to his exertions in their cause.

"M. Mangum has uttered mysterious language relative to a mother and child in the rue de la Paix. Will, gentleman, I have a secret to reveal. An unfortunate woman, compromised by one of her children, was driven from Italy. She took refuge with a sick child at Paris, where she was without resources. She applied through a sole medium, to the king, saying, 'The laws condemn my child and myself to death. I throw myself upon your generosity. I could only escape in passing by France. I give you my word, as soon as my child is better, I will quit the country.' As a minister, I was bound to respect the name of a man whose statue the king had given orders to be restored in the Place Vendôme. I made known the circumstance to the king, and succor was sent to her, upon her giving her word that she would proceed to England. Her promise was fulfilled. Gentlemen, I did not think it my duty to denounce this woman to the tribunals." (cheers.)

BRITISH IRON MANUFACTURES. From the United States Gazette. The following is an extract of a letter from a highly respectable source in England, to a house in this city, the contents at the present time are especially deserving notice.

At a meeting of the British iron masters held on the 10th August, 1831. It was resolved,

1st. That it is the opinion of this meeting, that the quantity of iron made, has for some time exceeded and still does exceed the demand.

2dly. That the consequence of such excess has been so to reduce the price of iron, that it has ceased to remunerate the iron masters for the capital employed.

3dly. That to restore the trade to a sound and healthy state, it is the opinion of this meeting, that a diminution of the make of iron should be effected to the extent of 25 per cent. on the quantity produced by each work, when in full operation, and that such diminution should continue for the space of twelve months.

4thly. That it should be recommended to the makers of iron in the respective districts of South Wales, Staffordshire, Shropshire, Yorkshire, Derbyshire and Scotland, to appoint committees equitably to arrange the make of the respective works, so that the said reduction of 25 per cent. may be effected, and that the committees so formed communicate with each other, and report to the chairman of the present meeting; when the object is effected—which report, it is requested, may be made by the 21st September next, so that he may call a general meeting of trade, to determine on future proceedings.

It is stated to us upon authority not to be doubted, that a single house in England, concerned entirely in the iron trade, and especially in the shipment of bar iron to this country, has recently failed for one million pounds sterling.

LIQUID SUGAR. New Orleans, Oct. 22. We have to-day good news for the sugar planters of Louisiana. The secretary of the treasury has fully sustained Mr. Gordon, the collector of this port, in his attempt to prevent the introduction of dissolved sugar into the United States, under the name of *sirap de batterie*, upon the payment of fifteen per cent duty ad valorem, which is equivalent to about one-half cent per pound, upon the sugar into which it is, immediately upon its arrival, reconverted.

Treasury department, October 6th, 1831.

SIR:—I have received your letter of the 20th ult with its enclosures relative to the attempts alleged to have been made in your district, to evade the payment of the duty on sugar, by introducing that article in a liquid state. Upon the view of the subject which these papers present, there appears to have been justifiable cause for the seizures made by you and by pursuing that course, you will, at all events, have afforded an opportunity for obtaining a judicial decision on the questions involved in the case.

If other importations of the article are made, and the importers are willing to enter and pay duty on it as sugar, it may be admitted to entry accordingly. Similar instructions will be given to other collectors. I am, very respectfully, your ob't. serv't.

LOUIS McLANE,

Secretary of the treasury.

Martin Gordon, esq. collector of the customs, N. O.

STROVE TERMS! The *Louisville Journal* says that the "Globe" speaks of the ex-secretaries, as "constituted into a cabal, and concocting a plot, which, in venom and malignity, in villainy and turpitude, might defy the condensed corruption concentrated in the crucible of hell, by the fiend-like ingenuity of the spirit of the damned."

THE KIRK OF SCOTLAND. There are under the general assembly 16 synods, 79 presbyteries, 952 parishes, and 987 ordained ministers—heads of 39 parishes called parliamentary, and 61 chapels of ease; total 1,052 congregations and 1,087 ministers. Of all these, (except in the chapels of ease), there are only five ministers who are selected by those who pay them!—581 being appointed by individual noblemen, and 289 by the crown, the rest by town councils, &c. The salaries of the ministers, however, have the merit of being moderate—the highest does not exceed 600*l.* and the lowest is worth 150*l.* besides the use of a house and four acres of land: thus several of the fat ones of the English church consume as much of the fruits of the laboring people as fifty of the best provided for clergymen of the church of Scotland, with hardly doing a fiftieth part of the duty of the latter.

CONSTANTINOPLE. Nearly the whole of Pera has been reduced to ashes—about 4,000 houses being destroyed, on the 28th August, including all the palaces—except that of the Austrian minister. The violence of the wind spread the flames so rapidly, that most of the moveable property was also destroyed.

YOUTHFUL DEPRAVITY. In looking over some not very recent London papers, we were struck with the recorder of London's report to the king, of prisoners under sentence of death in Newgate, after the last February sessions. Of the 27 persons capitally convicted, 19 were of and under the age of 23; of these one was only aged 10, another 12, another 14, another 16, two, (one of them a girl), 17, two 19 and several 20. Of the 27, only one was ordered for execution—Ellis aged 23.

OHIO. The *Cincinnati Gazette* says that the senate of the state consists of 16 Jackson and 20 anti-Jackson members, and the house of representatives of 30 Jackson and 42 anti-Jackson.

KENTUCKY. The legislature of this state met on the 7th inst. Mr. J. J. Crittenden was elected speaker of the house of representatives, without opposition, and Mr. B. S. Todd re-elected clerk, having no opponent—as was Mr. Stonestreet, clerk of the senate. All these are "national republicans." The election of a senator of the United States was assigned for an early day, and we shall hear of it speedily.

GEORGIA. Mr. Lumpkin was installed at Milledgeville on the 9th inst. the votes being counted, it was ascertained that his majority was 1,442. He had been received and was escorted into the town, by an "immense cavalcade," which seems much to have offended his opponents.

On taking the oath of office, he delivered the following address.

Fellow citizens. Called by the voice of the people of Georgia, to the first office within their gift, I approach the responsibilities of the station with unaffected humility and diffidence. But for a firm reliance on that wisdom which comes from above, and an unshaken confidence in the virtue and intelligence of my constituents, I should shrink from the magnitude of the arduous and complicated duties of the office confided.

The basis of my political creed is confidence in the unofficial sovereign people. They are the only legitimate source of all governmental power, and I believe them to be not only capable of self government, but of wise self-government. Therefore, my only hope of retaining their confidence, will be in a faithful discharge of my public duty.

To this station I bring no spirit of party animosity, or political strife. I have no pledges to redeem, nor vindictive feelings to gratify. I am now the servant of all.

I avail myself of this occasion to re-affirm what I stated to the public in February last—that "it is my most ardent desire to see the whole people of Georgia united on the great subjects of political interests and principle, which are inseparably connected with liberty and the perpetuation of our federal union. 'The federal union must be preserved;' and it can only be done by the general and state governments confining themselves within their respective constitutional spheres."

Pure patriotism demands of every public functionary a voluntary sacrifice of all political prejudices, which may stand opposed to the public interest. Thus far I make a free will offering of my own, on the altar of the public good.

In the presence of that portion of my fellow citizens here assembled; and in that of Heaven, I now proceed to bind myself by the solemnities of the most sacred obligation, to discharge with zeal and fidelity, the duties of the high trust to which I have been called.

ITEMS—ILLUSTRATIVE OF THE ARTS, MANUFACTURES, INTERNAL IMPROVEMENTS, AND RESOURCES OF THE UNITED STATES.

Mr. Imlay, of Baltimore, has manufactured two splendid cars for the West Branch Schuylkill rail road. He has now thirty such cars under construction for different roads, at his extensive establishment.

Patent planing machines are in use at New York and Philadelphia, and one is about to be erected in Baltimore. One of these machines prepares from four to five hundred planks for the floors of houses, &c. in a day, with greater accuracy than they can be prepared by hand.

Casks. The staves and heading for casks are fitted with astonishing rapidity, by a machine at Wareham, Massachusetts.

Cotton goods, to the value of 1,348,183 dollars, at their present diminished prices, were exported last year. The exports of the current year will much exceed that sum.

Gold. They are finding gold in Autauga county, Ala. which is thought to be as rich in the precious metal as any county in Georgia or North Carolina. Hands get from \$1 50 to \$3 per day.

Ginseng is dug plentifully in Western Virginia; dealers give 25 cents per pound, for the dried root, by which the digger can get 1½ to 2 dollars per day. 3 pounds of green making one of dry. One root was dug lately, 3 inches round and 11 long, weighing 8 ounces.

Lead, &c. A rich mine of lead, mixed with copper, some zinc and a quantity of silver, has been discovered in Lubec, Maine. It is said to be inexhaustible. Many tons of ore have been taken out.

The great Ohio canal is unavigable southwardly to Chillicothe—and a rapid rise of property in that town has followed. The "American System" Ox, the largest ever seen in America, was exhibited at the festival hall, when the first boat reached Chillicothe.

Utina and Michigan. The cost of uniting the lake to the river by a canal, is estimated at only 125,925 dollars. The increased value of lands on the main line of such a canal, would pay this sum many times over.

American types. The Kingston Jamaica Chronicle (twice the Courant for "appearing in a full suit of Ameri-

can types." The only wonder is, how they could ever get them there. Perhaps John Bull, in his double and treble fortifications for his own manufactures, never dreamed that the Yankees could make printing types.

(Boston Patriot.)

Nails. One thousand brads and sparrow bills can be made in one minute, with the machines used by the Howell Works co. and 15,000 could be made; but the machines were not considered strong enough. The machines were made by the foreman, Mr. Charles Makepeace.

(N. Y. Gaz.)

Boat building. From the best information we can collect, there will not be less than from eight to nine thousand tons built upon the Ohio this year; and could hands have been had, there would probably have been at least two thousand tons more built in this city than there were. Among those building at Pittsburgh are the Mohawk of seven hundred tons and the Baltic of five hundred.

(Cincinnati Adv.)

Grapes. Mr. Garrett, of New Garden, Penn. has one acre of land in grape-vines, 3 years old. He sold as many last season, at Philadelphia, as brought him \$200!

MORRIS CANAL. It gives us pleasure in publishing the following letter addressed to Mr. Colden, the president of the company, to announce the completion of this canal.

Greenwich, November 4, 1851.

To Cadwallader D. Colden, esq.

Dear sir—Permit me to announce to you the safe return of the boat upon which we were passengers to Newark. She reached the short level at the bend of No. 9 on Monday last, where she was detained a day for want of water, which was occasioned by a small breach upon that level; a part of her cargo was discharged here yesterday, and this morning we despatched her to Easton, where she discharged the balance and returned to our basin, where she is now ready to receive a load of flour, which we intend forwarding on Monday next. I am gratified that the passage of the first boat from Easton to Newark, and her return from thence to the waters of the Delaware, where she was also first to deliver a cargo, has been made under such favorable circumstances as to reflect the highest credit upon the operation of every thing connected with the canal. The planes were all in order, and performed admirably. Two boats belonging to the company, laden with coal, passed up the Delaware this day, and a private boat, called the "Walk-n-the-Water," also passed during the afternoon. Very respectfully yours,

F. GREEN.

BRIEF NOTICES.

The English clergy. Sir William Blackstone, in his commentaries on the laws of England, says, that if the English parliament had not passed their "restraining acts, the clergy would have, by that time, owned every foot of land in England."

The mail coach. which left New York on the 6th inst. at 3 o'clock, P. M. arrived at Philadelphia in eight hours forty-two minutes, with eight passengers, including the driver, and much baggage and the mails—in all computed at 2,500 lbs. This was "smart" travelling. The stoppages were included in the time.

Mr. Emmet's monument. Yesterday an immense column of white marble, from the Westchester quarry, intended as a monument to the memory of the late Thomas Addis Emmet, was moved, with labor, from the foot of Fulton street on the North river, to Broadway. A pediment of the same material, about six feet square, has been laid in St. Paul's church yard near the corner of Fulton street, on which the column is to be erected. The weight, we were informed, is 27 tons.

(N. Y. Cour.)

Died, in St. Mary's county, Maryland, capt. Michael R. Carroll, late of the U. S. navy, aged about 63 years. He was a mulshippman, and selected, by Decatur, to aid in the destruction of the Philadelphia frigate, at Tripoli.

—, in Lenox, Mass. William Walker, esq. aged 80, of whom Gov. Lincoln has said that he was the "most venerable man that he ever saw." He was a soldier in 1775. In Anne Arundle county, Md. capt. Charles

Crocoll, aged 69. At Otsego, N. Y. Samuel Hyatt, aged 83. In Amecuborg, Mass. Benjamin Merrill, aged 84. In Shelburne, Mass. capt. John Fellows, aged 80. At Walpole, N. H. capt. Joseph Fay, aged 69. In Merce, Maine, capt. Benjamin Baxter, aged 74. At his seat near New York, gen. Philip Van Cortlandt, aged 82. At Beacon Castle, Jesse Moore, aged 83. At York, Penn. col. George Spangler, aged 73. At Worcester, Mass. capt. Peter Slater, aged 72. At Providence, R. I. maj. gen. Barton—all soldiers of the revolution.

Post offices were first established in Paris, 1402; in England, 1581; in Germany, 1461; in the Turkish dominions, 1740; regulated by Parliament, and made general in England, 1656; and in Scotland, 1685.

The great fire. Accounts from Constantinople state that the losses caused by the conflagration of Pera amount to above 30,000,000 of Spanish pistas (about 160,000,000 of francs), or above £6,000,000 sterling.

St. Clair's defeat. It was forty years on the 4th inst. (November), since gen. St. Clair was defeated by the Indians and British, in the western territory, which then was a wilderness, but which now is a populous and flourishing part of our country. In less than half that time hence, the state of Ohio will be second to none in the union.

The Roman Catholic church in Sheriff street, New York, was totally destroyed by fire, a few days since. It is supposed to be the work of an incendiary. It had recently been repaired at an expense of \$5,000, and was insured for \$8,000, but was mortgaged to a still greater amount. One of the contiguous buildings was also destroyed, and three others injured, two badly, and one slightly.

Ancient coins. A Spanish peasant, in the environs of Lugo, in Galicia, tilling his field, lately found two earthen jars, containing several pounds weight of gold coin, of the emperors Nero, Vespasian, Adrian, and Trajan. Though they have been buried for so many centuries, they are as fresh and perfect as if they had just been issued from the mint. Each coin weighs about two drachms and a half, and the gold is of the first quality. *[Madrid, August 30.]*

Mrs. Elizabeth Honoria Frances Lambe, who had been eight times married, lately died in the island of St. Helena, aged 110 years, 4 months.

A buck. The Bethany, Wayne county Penn. Inquirer says:—

The largest buck within the recollection of our oldest hunters, was shot on the 10th instant, in Lebanon township. He has attracted the attention of hunters in that neighborhood for about 5 years past, on account of his extraordinary size, and has been repeatedly shot at, but his hunters escaped shot free. He was started on the runaway, and was greeted with a fire from two of the hunters, but, (to use the language of Big-Hunter), "Mr. William J. Shiklis, of Philadelphia, did the job." The deer weighed before he was dressed, three hundred and sixty five pounds!!! When dressed his meat weighed 201 lbs. tallow, 10 lbs. hide, 23 lbs. 6 oz.

NEW YORK CONVENTION.

The following is the substance of the beautiful and impressive address of the rev. Mr. SCHROEDER, (late of Baltimore, but for a considerable time having charge of a numerous congregation at New York), on closing the labors of the late convention of the friends of domestic industry, in the city last named.

PRAYER.

O GOD, the ruler of the rulers of the earth, in whom we live and move, and have our being, look down upon us from thy dwelling-place, and hear our prayer.

We own thy hand in all our blessings. It is Thou who has watched over us from our infancy as a nation. It was Thou who didst nerve the arm, and guide the counsels, of our venerated fathers when in a national convention, such as this, they solemnly declared that they would be free, and with their blood sealed the declaration. Thou didst enable them to form the sacred bond of union, which ties together our sovereign, independent states. Thou didst direct them, when they laid the deep and broad foundation of our glorious national superstructure,—the admiration of the civilized world.

Upon the wide extent of our goodly heritage, Thou hast poured out the fruits of peace and plenty. O, let the nations of the earth all learn to imitate our great example; that the intelligence, the happiness, the freedom, of our blessed country may be theirs.

Continue to us, gracious God, thy blessings. O, perpetuate the hallowed spirit of our forefathers. May the wisdom of their institutions be revered forever. May science, literature, and the arts be fostered; and may our citizens, trained up to virtue, love and honor God, through JESUS CHRIST, our Lord.

O, bless the RULERS of our nation. Let them never go astray, allured by novelties. Give them wisdom from above, to keep inviolate our rights—replenish them with the grace of thy Holy Spirit; incline them to thy will; and make them in all things such as thou wouldst have them to be.

Bless the PEOPLE of the land. May peace and prosperity be continued to us. Teach us duly to appreciate whatever thou hast given us—to love what is our own, because it is our own. Teach us to trace up all our blessings unto THEE, the source of every good and perfect gift. O save us from the ills of luxury and vice. Suppress fraud; encourage honest industry. Give an impulse to all the latent energies of our commonwealth. May the people love the truth. And may it be engraven deep upon the hearts of all, truth is great and it will triumph. O, that all the freemen of our sovereign states may truly love the nation's maxims—united we stand, divided we fall. Forbid that any ruthless hand may ever cut the sacred tie of our brotherhood; but, under thy protecting care, and gladdened by thy smiles, let the people praise thee, O God, yea, let ALL the people praise thee.

Bless this great national convention. May their deliberations advance the cause of useful knowledge and of general happiness. Let the members be all blessed of THEE, in the prosecution of the duties which have been respectively intrusted to them. O, preserve their lives, their health, their intellectual faculties. May they be enabled to submit sound facts to the sober judgment of the nation; to develop the best interests of our civil union, and to promote thy glory. And at last, may we all who are now before THEE, meet in the general assembly of those whose names are written in heaven,—there to meditate upon THINE attributes, to glorify THY name, and share the fulness of joy in THY presence, for evermore. All this we ask in the name of JESUS CHRIST our Lord, and may the grace of our Lord JESUS CHRIST, the love of God, and the fellowship of the HOLY GHOST, be with us all evermore. AMEN.

THE LITERARY CONVENTION.

The literary convention in New York closed its session on Saturday the 5th Nov. The business done was summed up by the president in his farewell speech. Votes of thanks were passed to the president, vice presidents, and secretaries. No further business being presented, Dr. Matthews adverted to the harmony that had pervaded the convention—the importance of the objects that had been the subject of deliberation, and as it had been opened by imploring the blessing of heaven, he hoped it would be closed in like manner, by prayer for the influence of Divine Providence in guiding their proceedings to a favorable issue.

The president [Mr. Adams] rose, as he said, to return his thanks to the members of the convention, not only for their kind partiality in placing him in the chair, but for the further honor they had done him by the vote they had just passed. He had come hither upon an invitation from the committee of arrangements of the last year. It so happened that he was unacquainted with the proceedings of the convention, and knew very little of what was to be brought forward at the present. But he should do injustice to his feelings were he not to say that he had seen and heard things during the meeting, which had made the present one of the happiest weeks of his life. He had heard things which he ought to have known, but of which he was totally ignorant. Other things he had heard, which he knew partially before, but which had nevertheless imparted additional information. On the first day of the convention a communication was read, of a most interesting character, on the state of

learning in Colombia—a country with which we are connected by the most important relations of daily increasing interest. The subject of establishing a college at Athens had been introduced, carrying back wisdom to the fountain of inspiration; and a report proposing to make the Bible a classic in our literary institutions—thus uniting Ionian's streams with "Sidon's fount, that flowed fast by the oracles of God." On another occasion he had learned the condition and prospects of an institution at West Point, which, although upon a very different foundation from this, was yet of an interesting character. A new and practical system of education had been submitted, which was spoken of in terms of the highest admiration; and this morning a report had been read on the establishment of professorships of history in our universities, which he deemed of high importance. The convention had also agreed to found a literary institution of a permanent nature, to unite men of literature and science in this state with those of like character in every part of the union. These things must be gratifying to all who feel an interest in the welfare of the human race, and are calculated to inspire their most sanguine hopes as to the future condition of man. Under these circumstances, we may well return our thanks to heaven for the past, and solicit its blessings for the future.

An appropriate and expressive prayer was then made by the rev. Dr. Yates, and then the convention adjourned *sine die*.

MR. CLAY.

On the 18th ult. Mr. Clay was invited by the citizens of Vincennes to partake of a public dinner. We subjoin the correspondence which took place on the occasion:—

Vincennes, Oct. 18, 1831.

SIR: At a public meeting of a number of the citizens of Knox county, on the 1st instant, it was intimated as probable that our town would soon be honored by your passing visit; and feeling a lively sense of gratitude and respect for the statesman who has contributed so eminently to promote his country's prosperity and glory, the citizens present spontaneously determined on inviting you to a public dinner.

It is with feelings peculiarly pleasing to us that we set as a committee on behalf of said meeting to congratulate and welcome your arrival in Vincennes, and to request of you to appoint a day when all our fellow citizens may be honored with your company, to partake of a public dinner.

With high respect, we have the honor to be your obedient servants. (Signed by the committee.)
The hon. Henry Clay.

Vincennes, Oct. 18, 1831.

GENTLEMEN: I receive with very great pleasure the congratulations which, as a committee of a number of the citizens of Knox, you have done me the honor, in your note of this day, to tender, on the occasion of my passage through this town. I reciprocate all your friendly feelings on this incidental meeting; and it would afford me peculiar satisfaction to accept the compliment of a public dinner, which you have so obligingly offered, if I did not feel restrained by considerations connected with the existing relation to the community in which I have been placed. During the late administration, and for some time after its close, I occasionally attended public dinners for the double purpose of meeting my fellow citizens at the festive board, and of vindicating my character there, which had been unjustly reproached. But although it was my duty and my right to defend myself, those occasions were never sought, never prompted, nor always embraced by me. If there be any who are not convinced that great injustice was done me, I must regret it, but I can do no more to undeceive them. The pleasure which I derive from freely mixing with my fellow citizens, at public entertainments, would induce me to continue to accept them, when offered, but for the reason already intimated. From the period my name was presented, by a convention in Kentucky, to the public consideration, for a high office, I have not accepted, nor, whilst it remains thus before the public, shall I accept, any public entertainment tendered on my own account.

I hope, gentlemen, you will approve the motive which governs me. A departure from my resolution, were it admissible, could be made in no place sooner than in Vincennes, endeared to me as the residence of valued friends, and by the grateful recollections of a former visit.

With many thanks for the too flattering estimate of my public services made by the meeting which you represent, and for the friendly terms in which you have communicated its sentiments, I am, gentlemen, with great respect, your obedient servant,
H. CLAY.

THE JUDICIAL OFFICE.

For many years we have noticed with great dissatisfaction, if not disgust, minglings of persons high in judicial authority with the parties or partisans of the day—as being fatal to that *purity* which should prevail on the bench, and that *confidence* which it is so needful that the people should have in their judges—on both which the peace and safety of society so much depends.

We have, therefore, great pleasure in publishing the following note from Judge Summers, of Virginia—a gentleman distinguished for his learning, not less than his patriotism and careful attention to the right.

Charleston, 15th Oct. 1831.

Maj. James Bream:

DEAR SIR—I understand you are presiding in a meeting of my fellow-citizens of Kanawha, assembled for the purpose of appointing delegates to the Baltimore convention, and I have observed in a late number of the *Banner*, that at a similar meeting in Wood county, I was, with two other gentlemen, designated to that service. Under those circumstances, I deem it due to those whose respect and kind feelings have given me a place in this nomination, as well as to my countrymen, now met for a like purpose and who may be disposed to concur in the Parkersburg nomination, to apprise them that, with all proper deference and respect to the opinions and wishes of my fellow citizens, I cannot, consistently with my views of duty, engage in the service proposed.

The situation in which I am placed, has ever formed a strong inducement to avoid, as far as practicable, any participation in the political or party measures by which my fellow citizens are often animated, and frequently divided. This course, prescribed by delicacy as well as duty, I think ought not to be departed from on the present occasion.

Be pleased to communicate these sentiments to the meeting over which you preside, with assurances of the high respect which I entertain both for you and them.

L. SUMMERS.

THE IMPRISONED MISSIONARIES.

A gentleman in New Jersey, in a letter of recent date, addressed to the editors of the *N. Y. Observer*, says:

"I yesterday had the pleasure of an interview with a gentleman recently from Alabama, who has resided ten years among the Cherokee Indians in that state. On his way he visited rev. S. A. Worcester, and Dr. Elihu Butler, missionaries of the A. B. C. F. M. in the penitentiary at Milledgeville, Georgia. He related a few particulars respecting their situation, which may be interesting and useful for Christians to know, as it will aid them in commending these sufferers and their present associates to the throne of grace.

"Mr. Worcester is employed mostly as a mechanic at the bench, and Dr. Butler at the lathe wheel. They of course adopt the dress of the prison, made of very coarse cotton. The initials of their names are painted in large red letters across their breast and waist. Thus attired, they perform their daily task with quiet conscience in company with felons. Their fare, though coarse, is wholesome, and their health is good. The convicts generally are required to cook for themselves. They mess with one who is permitted to go into town, and who cooks for the three. He is permitted to bring in some articles which they would not receive under other circumstances.

"The habitation is surrounded with a high wall, enclosing about five acres. As the penitentiary was burnt last spring, the present buildings are temporary. There

are three apartments for one hundred prisoners! Mr. Worcester has about thirty with him, and Dr. Butler about twenty-seven. The rooms are large, say twenty feet square. Loose plank are laid down for the floor. Each convict has a blanket to lie upon or to cover himself with as he chooses.

"After entering the prison, Mr. Worcester requested that the convicts might be assembled for public worship on the Sabbath. The keepers, with one exception, assented, but on account of his objection, the request was not granted. He is permitted, however, and Dr. Butler, likewise, to pray with those in their rooms at night, and preach to them, or in other ways to give them instruction on the Sabbath.

"The gentleman on his way to Milledgeville called upon Mrs. Butler, and found her as quiet and happy as could be expected in her trying circumstances. She was engaged as usual in teaching school, and imparting instruction to the Cherokees. She wrote a letter to her husband, which was presented to the keeper of the prison, who is a pious man, of the Methodist church, for examination. He declined reading it, and intimated that it was too trying to his feelings. Dr. Butler has four children. Mrs. Worcester still remains in feeble health."

STATE OF MAINE.

IN COUNCIL, November 7th, 1831.

Present the GOVERNOR,

Messrs. Lane, Howard, Prince, Cobb, Smith, Johnson.

The committee of the whole council, to which was referred the subject of the recent transactions at Madawaska, ask leave to report: That in common with their fellow citizens, they view with feelings of just indignation, the unwarrantable and oppressive acts of the authorities of the British province of New Brunswick in invading the territory of this state with a military force, and arresting a number of our peaceable citizens, compelling others to conceal themselves in the wilderness, and abandon their homes in order to escape the violence with which they were threatened.

In this violation of the sovereignty of the state, we perceive the continuation of that system of encroachment, which, by our forbearance, the provincial government have long been enabled to practice for the purpose of extending their possession, and afterwards relying on that possession as the only foundation of the extraordinary claim they still persevere in making to a considerable portion of the state.

In virtue of a warrant from a magistrate of the county of Penobscot, the inhabitants of Madawaska, on the 20th day of August last, assembled at a place southward of the St. John river, on this side of the line designated by the arbiters as in his opinion a suitable boundary between the two governments, and proceeded peaceably to organize themselves, in pursuance of an act of the legislature of Maine, incorporating the town of Madawaska.

On the 12th day of September last, they held a town meeting for the purpose of electing a representative, as required by the laws and constitution of this state.

For these acts, four of our citizens have been arrested by the authorities of New Brunswick, carried out of the state, and three of them, Barnabas Hunewell, Daniel Savage and Jesse Wheelock, are now confined in jail at Fredericton, in execution of a sentence pronounced against them, after the form of a trial in a court of that province.

As these citizens were arrested by a foreign power, at a place which is claimed and known to be within the limits of this state, and for the exercise of a privilege guaranteed to every citizen, we have no hesitation in coming to the conclusion, that the state is bound to adopt all proper and constitutional means within its power, to procure their release.

It appears by documents in the office of the secretary of state of this state, that immediately on receiving information of these transactions, the facts were communicated by the governor to Mr. Livingston, the secretary of state of the United States, with an urgent request that the proper measures might be adopted by the general government to procure the release of our citizens and to protect our territory from invasion.

To this application an answer was duly received from Mr. Livingston, under date of 21st of October last, stating "the extreme desire of the executive of the United States to conform with scrupulous good faith to the arrangement made with the minister of Great Britain for preserving the state of things as it then existed on both sides, until a final disposition could be made of the question, and it was distinctly understood that no exertion of the state authority in the part of the disputed territory which were actually held by the British should interfere with this arrangement." It further appears by the documents communicated, that although the proceedings of the inhabitants of Madawaska were supposed to be a violation of that agreement, yet prompt measures were adopted by the president through the interposition of the representative of the British government at Washington to procure the release of the persons who had taken part in these transactions.

We have caused an examination to be made, but no copy of the arrangement referred to can be found among the archives of the state. And though allusion is made to such an arrangement in the correspondence between Mr. Clay, former secretary of state of the United States and the late governor Lincoln, it was at that time asserted to have been violated by the British authorities, and we are satisfied that in numerous instances, it has been totally disregarded by them.

In order to show the views of the general government with regard to the measures to be adopted by this state, which are now the subject of our consideration, we refer to the following extracts from Mr. Livingston's letter before referred to. "The president desires me to reiterate to you, his anxious desire that you would use your authority and influence to prevent any further collision with the British authorities, in the firm persuasion that the wisdom of congress will direct such ultimate measures, as will bring the controversy to a close, consistent with the interest and dignity of the United States, and particularly, of the states interested in the question. He receives the strongest assurances from the representative of the British government, that no innovation will be countenanced on the part of its provincial functionaries; and on our part, good faith as well as the protection of the frontier, from unauthorized mutual incursions, require the same course of conduct."

In a previous letter to the governor, dated October 5th, Mr. Livingston observes, "The president directs me to say, that he relies on your excellency's prudence to avoid any unnecessary exertion of authority over the contested ground, and to repress as far as lies in your power, all such acts as may endanger the quiet of the bordering territory." "Congress will meet in the course of a few weeks, and it will be a source of deep regret if the moderation and forbearance, which have hitherto characterized the government and people of Maine, should cease to guide them, when its further continuance for so short a period is of such consequence to the nation."

After a full consideration of all the facts and circumstances within our knowledge in relation to the subject submitted to us, we are of opinion that every proper and constitutional measure at present in the power of the executive of this state to procure the release of our citizens confined at Fredericton, has been adopted. And if the committee have forbore to recommend more efficacious means for their immediate release, it is because they believe the state is not in possession of the constitutional power to execute them without the concurrence of the general government.

Believing that congress, which is soon to meet, will adopt the necessary measures to bring this controversy to a close, consistently with justice, the peace of the nation, and the constitutional rights of the state, which we believe will never be voluntarily surrendered, and when a desire to conform to the wishes of the general government, we do not deem it expedient at this time to recommend measures which might lead to collision with the British authorities.

But from the exposed situation of our frontier settlements, and the danger to which they are subjected by encroachments from a neighboring province, we recommend that the governor be advised to issue a general order requiring the militia of the state to hold them-

selves in readiness to meet such requisitions as the president may deem necessary, to protect our territory from invasion and our citizens from capture.

ISAAC LANE, per order.

In council, November 7, 1831.

This report, on being read, was accepted by the council and by the governor approved.

Attest: R. G. GREENE, secretary of state.

A true copy attest:

R. G. GREENE, secretary of state.

STATE OF MAINE.

Head quarters, Portland, November 8, 1831.

GENERAL ORDER.

The security and defence of our rights as citizens of a free state, being dependent upon our military establishment, it is not less a duty than the privilege of the citizen soldier to be at all times prepared to repel the invasion of those rights, and afford his aid in the due execution of the laws of his country. The exposed situation of the frontier settlements of this state, and the dangers to which they are subjected by continual encroachments from a foreign power, having, in the opinion of the executive council, rendered it necessary that the militia of the state should be reminded that events might occur which would require their services; The COMMANDER-IN-CHIEF, therefore ORDERS that the several divisions of the militia be in readiness to meet such requisitions as circumstances and the laws of the state may require, and as the president of the U. States may deem necessary, for the protection of our citizens and territory.

The major generals will cause this order to be promulgated throughout their respective divisions.

By the commander-in-chief,

SAMUEL G. LADD, adjutant general.

VERMONT.

The following are extracts from the speech of Mr. Palmer to the legislature of Vermont. This gentleman is the first who has been elected governor of a state on anti-masonic principles. All the officers chosen by the legislature are of the same political party.

"The subjects which more immediately require our attention, on the present occasion, are, such improvements and alterations in the existing laws, and the passage of such new ones, as experience has proved to be important and necessary, and called for by the changes in the conditions of society—a vigilant superintendence of the fiscal concerns of the state, as it respects both the just levy and prudent expenditure of the public taxes—the improvement of the various channels of communication between the different parts of the state and with other states—the promotion of trade, agriculture and manufactures—the appointment to office of men who are discreet, honest, capable, and unshackled by any carthy allegiance except to the constitution and laws—a due regard to the state of the militia, and watchful care over the condition of our common schools and literary institutions."

"The administration of oaths is a subject of the deep importance to every government, and cannot fail, consequently to command your special attention. The influence which the exercise over the human mind renders it of the utmost importance that they should be resorted to, only for the attainment of proper objects, and I submit to your consideration whether their administration should not be prohibited by law, except when necessary to secure the faithful discharge of official trusts, and to elicit truth in the administration of justice. I submit also to your consideration whether the cause of morality, and the general good, do not demand your interposition to diminish the frequency of their imposition even for the above purposes."

NEW JERSEY.

Extracts from the late message of Gov. Vroom to the legislature.

The suit instituted by this state against the state of New York, pursuant to the act of February 1828, is still pending undetermined in the supreme court of the United States. The process has been some time since served and returned; and the state of New York, having declined

to appear in obedience to its requirement, the court at its last session in January, caused a rule to be entered, that the complainant should be at liberty to proceed *ex parte*; and unless the defendant should appear at the next term of the court, which will be in January, and answer the complainant's bill, the court would proceed to hear the cause, and make such decree as might be just.

In consequence of this proceeding, the governor of the state of New York addressed a message to the legislature of that state, in which he calls in question the right and authority of the court, to take cognizance of the matters in controversy between the two states, and requests direction as to the course he should pursue. The executive of our sister state is not understood to have placed himself on the broad ground, that the constitutional power of the supreme court did not extend to suits between different states, but on the principle, that the power of the court, though constitutional in the abstract, could not legally be exercised, until the mode of proceeding in cases of this description should be pointed out and regulated by an act of congress. In view of the whole subject, he suggested the propriety of an appearance on the part of the state, accompanied with a protestation to save the state from being concluded on the question of jurisdiction. Under the expectation that such appearance would be entered by the state of New York, and in the sincere desire that the suit should be conducted with a spirit of amity, this state has forborne to proceed in the examination of witnesses; and it is probable that no step will be taken in the cause until after the next term of the court.

I deem it unnecessary, if not a matter of questionable propriety, to enter into any discussion of the grounds assumed by the executive of New York. We have taken our position after full and solemn reflection. The question is pending before a tribunal whose wisdom we cannot hope to instruct. In its purity and integrity we repose with implicit confidence; and to its judgment, matured and enlightened as it always is, we feel great safety in committing our rights.

The two great works of internal improvement, in which the state is interested, the Delaware and Raritan canal, and the Camden and Amboy rail road, are progressing steadily to their completion. The rail road will be put into operation from Amboy to Bordentown early next season; and from the increased facilities that will be given to travelling and the transportation of merchandise, it is confidently expected that it will become immediately profitable, and that a new incentive will be given to the spirit of enterprise which is beginning to be felt in every class of the community. The state is now largely concerned in the rail road, being a stockholder to the amount of one hundred thousand dollars besides having a share in the tolls received by the company. And it is a matter of congratulation that we are likely so soon to realise some of the benefits growing out of our local situation.

It will be remembered that by the charter of the Delaware and Raritan canal company, there was reserved to the state the right of subscribing for one fourth part of the capital stock of that company. If the state should think proper to avail herself of this privilege, it may be important to do so at the present session. The period in which it may be done is limited by the charter to two years from the time the company shall have fixed upon the size, dimensions and route of the canal and feeder; and as the canal is now in progress, and upon a scale calculated to reflect honor upon the state, as well as upon the individuals concerned, it becomes a matter of deep interest whether the state will become a party in the enterprise, and secure the right now within her power, or whether she will submit the work entirely to the management of those who have now the controlling influence, and await the period when the whole shall revert to the state on payment of the original cost. It is a grave question, and worthy to be examined and acted on with great circumspection and care, for its determination will conclude the rights of the state for half a century.

There are various other works of internal improvement either commenced or authorised, in which the

state has no immediate interest, but calculated to be of great importance to different sections of the country. The rail road from Paterson to the Hudson river, has commenced under very favorable auspices, and there can be no doubt that its speedy completion will be decidedly favorable to the prosperity of the town, in which as Jersey men and friends of domestic industry, we must all feel a lively interest as well as an honest pride. The route of the contemplated rail road from Elizabethtown to Somerville has been surveyed during the summer. It passes through a rich and fertile part of the state, and one singularly adapted to that species of improvement. If it should be extended further into the interior of the state, or across the state to the Delaware river, at such point as might appear most advantageous to the company, it would prove a great benefit to the community.

BRITISH REFORM.

Blackwood's Magazine, (opposed thoroughly to reform), says, in the September number, that "were the reform bill to pass, the manners of the nation would be as bad, or even worse, than its morals—and all mild men would migrate to America." In a previous number it is stated that:

"Three measures may be expected after the reform bill has come into operation; and which no wisdom or firmness, on the part either of government or the legislature, will be able to avert:—

"1. The duties on Baltic timber will be repealed. This measure will be warmly supported by the £10 householders; to such men, the prospect of getting the best wood at *half its present price* will be an invincible argument for such a measure. By this means Canada will be lost; and a colony possessing nearly a million of souls, taking off annually, 50,000 emigrants employing 400,000 tons of British shipping, and consuming £2,500,000 of British manufactures will be lost to the empire.

"2. The protective duties on East India sugar will be repealed and the immediate emancipation of the negroes forced on the West India proprietors. By these means, either the flame of revolt will be spread among the slave population, and 150 millions of British capital perish in the flames which have consumed St. Domingo, and rendered that flourishing colony a desert, or the planters will throw themselves into the arms of the Americans. In either view, the West Indies, the great nursery of our seamen, will be forever lost to England. The mother country, distracted with her own troubles, will be as unable to preserve its dominion over those distant possessions, as the French revolutionary government was to save the wreck of its once flourishing West India colonies.

"3. India and the China trade will be thrown open to the clamorous multitude, who will seek in the eastern world that subsistence which the passions of the demagogues have denied them in their own country. They will carry with them to the shores of the Ganges the fierce passions and unbending democracy of the mother state: and the airy fabric of our Indian empire, now upheld only by the steady rule of a stable and despotic government, will be overthrown. Fifty thousand men can never maintain their sway over one hundred millions, but by the firm hand of absolute power. The passions of a democracy will speedily tear that splendid, but absolute and flimsy empire, into pieces. The loss of all our colonies may be harked forward to as the inevitable result of the reform bill. How can it be otherwise with a measure which at once disfranchises all the colonial interests, which closes the door by which they have hitherto been represented?"

"Such extreme disasters will for certain produce one effect. All parties will become weary of distraction and suffering; the period, the inevitable period, will arrive, when the dominion of a firm hand will be required to staunch the wounds of the state. A Caesar, a Cromwell, a Napoleon, will seize the sceptre, and military despotism will close the drama of English reform. It will close it after years of anguish and suffering; after the empire has lost its colonies, and with them its naval supremacy; after unheard of suffering has tamed our people, and the glories of the British name are closed forever."

Why were not the *corn-laws* noticed! They might well be esteemed as those which a wild "democracy" would first repeal; for the cost of the absolute necessities of life are forced up, that the "nobility, gentry and clergy" may receive excessive rents for their lands and glebes.

The reform might, perchance, bring about "free trade," to a considerable extent. If allowed in the articles of grain and bread-stuffs generally, timber or wood, sugar—only three items—the high aristocracy of England would be exceedingly humbled, and the poor better fed—palaces might fall into ruin, as they did in France, but wretched hovels would also be less frequently met with; a liberal importation of timber, certainly, would affect Canada, and be of no small service to the United States; and there is no doubt that, if the high extra duty on East India sugar, (levied to preserve the West India planters, and keep their slaves from starvation or revolution), were taken off, all which is predicted of the West India islands would follow, and the masters of them be changed, though we would not desire any thing to do with them. The truth is, that the affairs of Great Britain, gigantic as she is in resources, are bolstered so much by one artificial operation resting upon another, are out of all calculation in the result of any material change in the relative position of things—every part or party leaning against some other part or party, and one monopoly being indispensable to the support of other monopolies, without end.

THE SICKENING SUBJECT.

Having published—as in respect to our own impartial record we were compelled to do, the certificate of the reverend Mr. Evans, (a brother-in-law of major Eaton, and a new clerk in one of the departments), charging something very much like a falsehood on the vice president of the U. States, we feel bound to pursue this subject, disgusting as it is, in every respect, that the record may be full—earnestly wishing to conclude the whole branch of this wretched concern now, and forever.

From the Globe.

Mr. Blair:—Sir: As it is fully in my power to substantiate the statement of Mr. Eaton, relative to Mr. and Mrs. Calhoun's calling upon Mr. and Mrs. Eaton, I herewith furnish you with the facts as they occurred. Mr. Eaton was married on Thursday, the 1st of January. On Monday the 5th, Mr. Calhoun's carriage drove up to the door of Mr. O'Neal, and inquiry was made for Mr. and Mrs. Eaton. On being told that they had gone to Philadelphia, Mr. and Mrs. Calhoun's cards were handed to the servant, who brought them in and gave them to my wife. Those, with many others left during their absence, were handed to Mr. and Mrs. Eaton on their return.

F. S. EVANS.

October 29, 1831.

From the Telegraph.

Mr. Evans is introduced by the *Globe* as a member of Mr. O'Neal's family at the time when it is pretended that Mrs. Calhoun's card was left, viz: on the 5th of January, 1829, and he pretends to give his certificate as such. Let the reader look to the following certificate: *District of Columbia, county of Washington act.*

I, William Brent, clerk of the circuit court of the District of Columbia for the county of Washington, do hereby certify, that on the 23d day of July, in the year of our Lord one thousand eight hundred and twenty-nine, a license was issued out of this office to solemnize the rights of marriage between French S. Evans and George Ann C. O'Neal.

In testimony whereof I have hereto subscribed my name and affixed the public seal of said court [L. S.] for the county aforesaid, this second day of November, 1831. WM. BRENT, clk.

Mr. Evans says that the card was brought in and given to his wife. Now the fact is that he had no wife until more than six months thereafter!! But Mr. Evans is one of the brothers-in-law of major Eaton, appointed a clerk with a salary of \$1,000, and employed to write political letters and make certificates.

From the Globe of November 7.

Mr. Evans stands accused by the *Telegraph*, of having been guilty of a falsehood, in saying that the card of Mr.

and Mrs. Calhoun had been handed from their carriage to "his wife," by the servant. To make out the crime imputed, the editor has obtained a certificate from the records, shewing that Mr. Evans was married subsequently to the time of Mr. and Mrs. Calhoun's visit. The lady who received the cards of the visitors, was, it seems, not Mr. Evans's wife until after the circumstance occurred which was alluded to by him, and, therefore, the editor of the *Telegraph* feels himself authorized to impeach a preacher of the gospel of making a false statement, because he did not make it read with the precision of a special plea, averring "and the said cards were delivered to my wife, Mrs. Evans, then Miss O'Neal." Every man, according to the *Telegraph*, is guilty of falsehood, who says that general Washington was born on his own birth day, because he was not a general when he was born! How scrupulous!

From the Telegraph of the 8th.

After copying the preceding, the editor says—

Perhaps we cannot offer a better comment upon this article than is given in the following letter from the reverend gentleman himself:

"Monday morning, November 7, 1831.

"Sir: I observe under the editorial head of the *Globe* of this morning, an article in which my name is mentioned. This article is published without my knowledge; and, had I been consulted, would have been positively prohibited.

I am thus frank because I think it due you. Your remarks with reference to myself were mild, and such as honorable warfare entitled you to use.

I have, therefore, to request, my name will not again be introduced into the controversy, and I shall make a similar request of Mr. Blair. Very respectfully,

F. S. EVANS.

I do not wish this published."

It is true that Mr. Evans says that he does not wish his letter to be published; but we did not invite his confidence; and every one can see that we are indebted to the gentleman's fears, and not to his love of truth, for this favor. It is not our purpose now to magnify him into consequence; nor will we, unless further provoked, mete out to him the measure which his conduct deserves; but we will place this matter in its proper light.

The certificate of Mr. Evans, volunteered by him and published in the *Globe*, was as follows:

Mr. Green then copies the reverend gentleman's certificate, inserted above, and says—

He, (the rev. Mr. Evans), was introduced by the *Globe* as one of Mr. O'Neal's family, as a witness, who had it fully in his power to substantiate Mr. Eaton's statement, and undertakes to speak of Mr. and Mrs. Calhoun's call as a matter of his own personal knowledge. Let the reader look at the certificate, and it will be seen that it is carefully prepared, so as to make this impression on the public. He asserts that it is fully in his power to substantiate the statement of major Eaton; and then declares the day, date and particulars, with such a minuteness of detail, that no one, who reads the statement, can hesitate to suppose that he spoke as of his own personal knowledge. He does affirm as of his own knowledge, that Mr. and Mrs. Calhoun did call on Mr. and Mrs. Eaton; that their carriage came to the door; that they inquired for Mr. and Mrs. Eaton; that upon being told that they had gone to Philadelphia, Mr. and Mrs. C.'s cards were given to the servant, who gave them to his wife. Who can read this certificate without supposing that Mr. Evans was then married? And who does not see that the certificate of the clerk, proving that he was not married until more than six months thereafter, convicts the reverend gentleman of deliberate falsehood? If he did not say that he was then married, in terms, it is clear that he intended it to be so understood; and hence he himself admits that our remarks "were mild, and such as honorable warfare entitled us to use."

"But what will the public think when they are told, that so far from being then married to Miss O'Neal, and that so far from being a member of the family, as represented by the *Globe*, this "preacher of the gospel" had not then seen her; and that so far from being an eyewitness of the particulars which he pretends to relate

with so much minuteness; he was not at that time a resident of the district!!

[Other severe remarks follow—but we have published enough! Mr. Evans should not have put himself forward in this matter. We regret that his certificate was REGISTERED—but that proceeding being had, there was no remedy. The "Telegraph" goes on to mention some things about the "servant" referred to and Mrs. Eaton's maid, and Mr. Evans marrying them, against the man's consent, &c. &c. a sufficiently queer story, but which we desire to have no concern with.

POLISH PROCLAMATION.

Whatever may be the fate of the brave, but unfortunate Poles, the following proclamation should be preserved as a monument of their devotion to liberty.

"Head-quarters at Kunow, September 13.

"Poles!—Four days ago a most sanguinary and obstinately contested battle was fought under the walls of our capital. Before the eyes of your wives, sisters and mothers, under the view of the whole city of Warsaw, the Polish troops have slain more than 20,000 of the enemy, and the intrenchments which are formed by the labour of your fellow-citizens have now become the grave of her invaders. To save the town from destruction, to weaken the force of the enemy, our troops have evacuated the capital.

The cannon, ammunition and all implements of defence, the government, the deputies, all the magistrates, have withdrawn with the commander-in-chief and the army to Modlin. General Krukowiecki is no longer president of the government.

"In consequence of an armistice, hostilities are for a moment suspended; but, my countrymen, let not that moment be for you a period of repose which might divert you from the great object of the deliverance of your native land; employ it rather to redouble your strength in new efforts to establish the existence and independence of Poland.

"Is Warsaw for all our country? Do its walls and its inhabitants within so narrow a circuit form the limits of the nation? After so many great sacrifices, after so many dearly achieved victories, which have justly astonished the world, shall our high thoughts, our feelings, our hopes—shall all these be at the last moment of expectation dissipated, as if the waters of the Warthe, the Vistula, the Dniپر, the Bug and the Dvina, did not present to us the inheritance of our fathers, which, again reconquered, we will convey to our children? Who then would treacherously violate the sacred oath we have sworn, to shed the last drop of our blood in defence of the last foot of our native land? No! The Pole is too proud to fail in a pledge given in the face of the whole world, or to look forward with a doubt of victory while he still is able to lift an arm. He who can value liberty, who calls himself free man, will also know how to break the fetters attempted to be imposed upon him.

"Poles! Yet one moment more of endurance and resignation, and the end of the glorious contest, whose result will be the restoration of our freedom, independence and rights, is at hand. The scale of victory must preponderate in favor of the zeal, and resolution of our soldiers, and the sacrifices of our citizens. History exhibits no example of a united nation, striving to obtain one great object, being deceived in its hopes. Did not our enemies, 19 years ago, lose their capital, and notwithstanding was not their nationality and independence secured? Never let us forget that we owe every thing to our country, our common mother. Her existence is ours; we wear her chains. Then let us once more renew in our hearts the already sworn oath, that we resolve to be a free people; that we will not lay down the sword of our fathers until we recover liberty and independence. Henceforth let our motto be—"Death or Victory!" and when we shall stand in the order of battle, we will meet the enemy with the cry—"Live the country!" and thus will we conquer. "ROZISKI."

CIRCUIT COURT OF THE UNITED STATES.

The United States vs. Benjamin Shelnire. October session, 1831. Judges Baldwin and Hopkins.

Indictment for uttering, passing and publishing as true, a certain false, forged and counterfeit order, purporting to be an order upon the cashier of the bank of the United States, drawn by the

office of discount and deposit in Mobile, by Philip McLoskey, president of said office.

The question of the legality of these orders or drafts, and whether, under the act of congress, they may be the subject of forgery; and also the question of the liability of the bank for the payment of them, arose in the course of this trial, for the opinion of the court. That part of the charge of the court to the jury which has relation to these questions, was as follows—delivered by judge Baldwin:

The counsel of the defendant has presented to the court the question, whether the orders or checks of a president of a branch bank of the United States, drawn on the cashier of the mother bank, came within the meaning of the words "order or check," mentioned in the 18th section of the law incorporating the bank. The point has not been argued, but it has been made. It arises necessarily, in view to the prosecution, and must be decided by the court. The words of the law are very plain—"or any false, forged or counterfeit order or check upon the said bank or corporation or any cashier thereof"—broad enough to embrace this paper which on its face purports to be such an order, and if genuine, would be one, or any order or check on the bank or any of its cashiers at the branches or here, or any draft or bill for the payment of money, which in law would be deemed an order or check.

Is this comprehensive description narrowed by any other parts of the law? We find in it no prohibition direct or indirect against issuing this kind of paper either by the bank or any of its branches, or any word or expression by which congress has excluded it from the purview of the 18th section; neither can we perceive any thing in its nature which would justify such inference. The only restriction on the issuing of any paper, is in the 12th and 13th fundamental articles in the 11th section of the charter.

The bank can make no bill obligatory or of credit under its seal for the payment of a less sum than five thousand dollars; the bills or notes issued by order of the corporation, signed by the president and cashier, are made as binding and obligatory on the bank as those of private persons, but all their bills and notes must be payable on demand, unless of a sum not less than one hundred dollars, and payable to order; none of these restraints apply to an order or check; the notes or bills alluded to are such as contain a promise to pay money, and the bills obligatory are such only as are under seal, and for sums not less than five thousand dollars. The bank is left free to contract debts by any other mode than by their promissory note or an obligation under seal, and no other limitation than is contained in the 8th fundamental article, which is merely as to amount, the only effect of which, is not to exempt the bank from liability for the excess, but to make the directors, under whose administration it shall happen, personally liable. The words of this article are, in our mind, very conclusive on this point. "The total amount of debts which the bank or corporation shall at any time owe, by bond, bill, note, or other contract over and above the debt or debts due for money deposited in the bank, shall not exceed the sum of thirty-five millions of dollars." &c.

This is an explicit declaration that the bank may make, and are bound by contracts other than those by bond, bill, note, or deposit. These other contracts must be taken to mean and be co-extensive with ordinary transactions of banks. We certainly cannot confine them to limit narrower than those subjects which the charter recognizes as those on which the bank are to act. Deposits, discounts, drawing, endorsing, buying, selling, bills of exchange, or taking them for collection, dealing in gold or silver bullion, paying for buildings, improvements, salaries and contingent expenses, are "other contracts" by which the bank may incur debts, and are bound to pay them to any amount to which they may be contracted by them or under their authority. In all these operations, checks or orders on the bank or its cashiers, are indispensable to conducting the business of the bank. They are peculiarly so when we consider the connection between the bank and the government and its branches. Being the depositories of the public money,—bound to transfer it without charge or commission from the place where it is received to the place where it is wanted or required to be deposited,—bound to distribute the money of the government among its creditors,—to pay the salaries of public officers,—to act as commissioner of loans in the different states, in the payment of the public debt and pensions,—there must of necessity be drafts, orders and checks by the bank on its branches on each other, and on the bank. The branches are offices of discount and deposit. Independently of the duties enjoined on them by the charter for the service of the government, there were great and powerful reasons for the incorporation of the bank, and the establishment of its branches, to create and continue a sound, uniform currency, facilities for internal exchange, and convenience. It cannot be contended that drafts, orders, or checks, drawn by or on the bank, or any branch, are not legal tender, no more by which all these obligations, both public and private, could be accomplished, or that they can be accomplished without them. There is no pretence that there is any express or implied prohibition making them unlawful, and no good reason can be suggested why the bank, individuals and the public should not have the same protection against any injury which might result from their being forged or re-issued as the promissory notes of the bank, or the drafts, orders, or checks of individuals upon a cashier of the bank. It is in our opinion no answer to these views, that the law has not expressly authorised the officers of the branches to draw on the bank; it is enough for this point that they are not prohibited from doing so; it is an act indispensable to the transaction of their ordinary business, in order to meet the wants of the public and others. The bank may contract otherwise than by bond, note, or bill. They may authorise the branches to draw orders, checks or bills upon them, whether in funds or not,—but authorised or not, the paper has the same validity; if genuine, the drawer or drawee is bound for payment. It would

be introducing a new principle into our code of criminal law, to say that the guilt or innocence of the accused would depend on the fact of the person in whose name a paper is forged having funds or authority on which he could draw his order or check. If a genuine bill is wanting in some requisite to give it currency, as the endorsement of the payee when payable to order—up to a positive law directs that besides the proper signature, some other act should be done to give it any validity between the parties, or to permit it to be read in evidence—as that it should be stamped—the crime of forgery is as complete by forging or knowingly passing it before endorsed or stamped, as after. Bailey on bills 442, Am. ed. 282; 6 D. and E. 606, R. v. v.

To save the party from the penalty on account of the invalidity of the paper if genuine, if it must be shown to be wholly illegal and void in its operation, so that no one could be injured by its being forged or passed upon him. The genuine paper must be as worthless as its counterfeit. The law embracing then all orders or checks on the bank or any cashier thereof, with intent to defraud the bank or any other person, continuing no exceptions, excluding no paper which comes within the definition of common acceptance as an order check, or prohibiting the issuing or circulation of those drawn by the presidents of branches, we are bound to declare them to be within the words, spirit and meaning of the law, equally with the notes of the bank or the checks or orders of individuals.

You will therefore understand us as distinctly laying down the law to be, that it is criminal to forge or pass paper of this description. The next question of law which arises in the case is, whether that part of the indictment which charges that the accused passed the order or check in question, with intent to defraud the bank of the United States, has been made out.

On this part of the case the law is well settled. The indictment must allege the offence to have been committed with the intention of defrauding some person or corporation, and this allegation must be proved as laid. This is the general rule, but it must be taken with this qualification. If the person in whose name a forged note, bill, order or check is drawn, or the one on whom it is drawn, would be bound to pay it, if the law infers and takes as proved the intent to defraud and such person, from the act of forging, or knowingly passing such paper. Bailey on bills, 442, Am. ed. 386; Russell and Ryan, 159, 291; 2; 2d Taunt. 333, 4.

It is not necessary that there should be any actual injury sustained or fraud practised in fact, on the person who was the subject of the mediated fraud or injury; this part of the offence consists in mere intention, and if that intention can be consummated the offence is complete. It is enough that it may probably or possibly be done. 2d Str. 749, 2d L. R. 1469, 2d W. B. 787, 4th Wash. 727, 2d Taunt. 333.

The passing of this order or check is alleged to be done with intent to defraud the bank of the United States; it therefore becomes necessary for us to inquire whether the bank might or could be defrauded or injured if the paper was genuine. By the 14th fundamental article of the charter of the bank, it is bound to establish branches in certain cases. It is authorized to establish them whosoever they think fit, within the United States, and to commit the management and the business thereof to such persons and under such regulations as they may think proper, not being contrary to law or the constitution of the bank; or instead of establishing branches they may employ other banks, with the approbation of the treasury, to manage the business proposed, other than for the purposes of discount, under such agreements and under such regulations as they may deem just and proper.

It thus appears that the branches are legitimate emanations from the parent bank, who may commit their management to such persons, and subject to such regulations as they think proper, under no other limitations to their power than the laws of the land and their own charter.

The operations of the branches are carried on with the funds of the corporation by officers of its appointment and under its regulations: they are its agents capable of binding it by their contracts; all their transactions are for the benefit of the bank, who cannot disavow them unless in a clear case of an excess or abuse of their powers, under such circumstances as would invalidate the contract of an agent of any other corporation or an individual. Any business may be done at the branches in relation to discounts and deposits which may be done at the parent bank; it is liable to depositors but not to the constitution of the bank, for all drafts, orders or checks drawn by its officers on their own cashier, by their own authority.

The act of establishing a branch is per se the creation of an agency; it is an authority not only to the extent of the regulations under which their agent acts, but to the extent of all acts and transactions of the officers of the branches, which the bank have been in the habit of adopting and carrying out, on the same principle that individuals are liable on the contracts of their wives and servants, who have been permitted to deal on their credit, and in their names; or a merchant, whose clerk is in the habit of writing letters, signing notes, bills and checks in his name, though without any written or express authority, by the adoption and recognition of which he authorizes the public to consider him as his agent, and bound to do in future what he has been in the habit of doing with his knowledge and assent. It would be strange indeed that the bank should not be liable for checks or orders drawn by its agents at their own branches, which not only form a very important item in the currency of the country and the operation of the branches, but which the bank have for years daily ratified and authorized in their payment: the uniform course of business transacted between the bank and its branches, furnishes such a strong legal inference and presumption of its being authorized by the regulations under which they have been established, that the burden of proof to the contrary is clearly thrown on the

bank or any other person who would attempt to show that the paper was not obligatory upon them. It would be a severe reflection on the bank to suppose that they would for a moment refuse payment of these checks and orders, and our system of jurisprudence would deserve little of public respect or confidence if the law were to coerce it.

But the charter is not silent. The 8th fundamental article makes the bank liable for all debts, though they exceed the amount limited,—the 14th makes the officers of discount and deposits its agents,—the 16th section makes the bank the depository of the public money, and imposes on it the obligation of transferring, distributing and paying it under the directions of the treasury,—and by the 17th article, the bank is bound to pay in gold and silver all its notes, bills and obligations, and all deposits in the bank or its officers,—and the proviso enacts, that congress may enforce and regulate the payment of other debts under the same penalties as are prescribed for the refusal to pay its notes, bills, obligations and deposits. The mode in which the bank contracts a debt, the shape it assumes, or the place where contracted, is of no importance.

The officers being its agents, the debts contracted by them become the debts of the corporation, imposing a duty to pay them, which may be done at or by the branches of the bank. If the payment is made in coin, the debt is extinguished; if made by a draft, or check, the debt remains until they are actually paid. Unless the holder expressly takes them as payment, and at his own risk, they create a new debt or obligation, when the bank is as much bound to perform as the old one for which it is intended to make satisfaction. It is a matter of mutual convenience, whether the old debt or duty shall be extinguished by payment or taking paper, whether in the promissory notes of the bank or orders or checks drawn upon it. They may be in large drafts, or orders, for remittance, or for any other way than by circulation, in any form, with or without ornaments, devices or marks. Whether they resemble in these particular the notes of bank, is immaterial; their substance and legal effect are the same; they create a new debt or duty, obligatory on the bank. It is bound to honor all the paper which it issues or gets into circulation by its authority or agents. Paper of the kind now under consideration, can be put into circulation in no other way than by being used in payment of a debt or other equivalent. If, on the requisition of the treasury, an officer of the branch at a place in which public funds were deposited, should draw his order on the cashier of the bank or any branch at a place to which it was required to transfer them, or in distributing the public money among public creditors, and distributing officers of the government, paying salaries, pensions or the public debt, should do so as a matter of mutual convenience and consent, give drafts, orders, or checks, either for remittance or circulation, on the bank or another branch, the bank would be as much bound to pay them as they would to pay the same amount to an officer or creditor of the government, who would deposit to his own credit the amount thus received through the bank.

The same rule would apply to an individual depositor, a creditor of the bank, or one who had an order or check on them, and would receive payment in the shape of branch orders, so, if a branch makes a contract of discount, and pays the proceeds by drafts on the bank, or any other kind of paper to suit their convenience: these obligations necessarily result from the contracts of deposit and discount. But there is another contract equally binding—that of purchase and exchange. An individual desirous of procuring a medium of remittance or circulation, exchanges with a branch his gold, silver, or any paper which they accept, as an equivalent for their drafts, orders or checks, large or small, as the case may be, stands in the same position to the bank as a previous creditor, depositor or holder of any demand upon them. He pays his money into the coffers of the bank, who receive it from their agents as the product of the contract made by their drafts and orders, all the profits of which go directly to the bank. To refuse payment in any of these cases, would be a fraud too palpable to be tolerated—wholly repugnant to every dictate of justice and rule of law.

The bank then being liable to pay paper of this description if genuine, it follows that the forging or knowingly passing it, could and might be intended, and operated, to defraud the bank. This raises the legal inference and presumption that such was the intention of the accused. When the law infers or presumes a fact, or an intention as resulting from the evidence, a jury may and ought to find it true, if there is direct proof before them;—the inference and the presumption of the law, if not supported by any direct evidence, without demand or payment of interest—the existence of a deed of land after 30 years possession—the malicious intent which is implied for the act of speaking or publishing scandalous words in civil cases—the inference of malice aforethought which the law draws from the unlawful killing of another not explained—the law in this case, every man may be found guilty of the possession of stolen goods and not accounting for them; and that the jury have heard in this case, the legal presumption of the accused knowing the order in question to be forged—drawn from his having passed another forged order of the same description, are among the similar cases where a jury ought to and will take legal inferences, when not rebutted by positive testimony. The inference in this case, and though it may be found that there is direct evidence of the intention to defraud Burke, and that he was actually defrauded, and the indictment would be sustained if it was so laid, yet it does not follow that there was not also an intention to defraud the bank. In our opinion, the facts of the case amount to an intention to defraud both Burke and the bank,—the indictment would be good in law and supported by the evidence, if the offence was said to have been done with the intent to defraud either or both, and therefore instruct you that the allegation of the indictment in this particular is sufficient in law, and made out by the evidence, if you believe the witnesses.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 12—VOL. V. BALTIMORE, NOV. 26, 1831. [VOL. XLI. WHOLE No. 1,053

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

THE REPORT ON IRON. The committee of the New York convention, appointed to consider and report on the manufacture of iron and steel, (many will feel interested in knowing,) have performed that duty—and their ample report, just received by the chairman of the permanent committee, from *B. B. Howell*, esq. of New-York, will be laid before the people of the United States with all promptitude, through the newspapers; or some other means, if its length shall prevent its general circulation through the usual channels. An extensive appendix is made up of valuable tabular statements, and other important presentations of facts in figures.*

The editor of the REGISTER, as chairman of the permanent committee, has carefully read and partially examined this report, which he regards as alike honorable to all the gentlemen of the committee, because of the zeal with which they have collected the matter, as to the member whose arduous duty it was, (out of a vast body of indigested materials), to present to the nation a paper like that now before us. It has cost him much time and close reflection, to condense his facts—yet the report is a long one;—and it could not be otherwise from the nature of things: but it is so plain that "the who rous may read;" and if it shall not, at once, astonish the friends of the protecting system on account of the importance and extent of the iron manufacture—as well as delight them because of its clearly demonstrated effect to lessen price to consumers—the editor will feel compelled to believe that his own judgment on such subjects is not worth much.

The following results appear ascertained with as much certainty as, from the absence of information strictly official, can be expected—and our opinion is, that the amounts given must needs be below the real production, employment, subsistence, &c. stated:

The aggregate of iron manufactured, if rendered in pigs, would be	tons	191,536
The amount of bar-iron made	"	112,866
Men employed, (about),	no.	30,000
Wages paid	dolls.	8,750,000
Persons subsisted	no.	150,000
Value of the manufacture, (in its first stages),	dolls.	13,550,000
Paid (directly) to agriculturalists for subsistence	"	4,000,000
Paid for transportations of iron, by land and water	"	1,500,000

*The course to be pursued with like reports containing many statistical statements, will be to get them into type, immediately—in which shape they can be conveniently and promptly examined by the executive committee; who design also to call to their aid such gentlemen, (not of their own number), as are deemed best qualified to investigate the facts pertaining to any particular subject under consideration. Thus mistakes, if they shall exist, may be detected, and the publication be made the more speedily. The chairman can command a sufficiency of type and obtain mechanical means to accomplish these things—in his own office or others, as need requires.

†This sum allows only 26 2-3 dollars for the subsistence of each person, a whole year,—and includes also the subsistence and value of the horses, (immediately derived from agriculture), employed at the furnaces, forges, &c. The calculation would then seem to be a very moderate one. The number of persons employed and subsisted does not include those who obtain their living, or support, by the various transportations or handlings of the iron after leaving the furnaces and forges,—nor others who, in the cities or other places of sale, derive profits on the manufacture. But all these should be added to shew the whole market which the

The capital vested in lands—forests, mines and water-rights, buildings, machinery, &c. is not estimated—but we shall seek some information on this point, for our own satisfaction.

Round numbers are used in several of the preceding sums, because the facts stated in a supplementary report of the committee, containing further information received after the general aggregates had been made up—were not added; and there is not time allowed the editor to bring them out precisely, according to the data given—but they are sufficiently near the true sums.

The effect of the domestic manufacture, or COMPETITION, in reducing the cost of iron to consumers, is admirably shewn in several tables—as well in the reduced price of the article on the sea-board, as in those parts of our country where foreign iron is not used at all. The facts, as to the latter, are conclusive on this point—AND THEY CANNOT BE MISTAKEN.

We have not room to say more—and if we had, should feel unwilling to lessen the interest of this report when laid before the public, by anticipating its contents.

THE FOREIGN NEWS noticed this week, is highly interesting. The republic of Poland is *finished*; and the bill for the reform of the British parliament has been rejected in the house of lords. What next?

Some speculate on a revolution in England—or, at least, calculate dangerous proceedings of the people, to obtain by force what the "hospital of incurables" has denied them: but the king, if resolved to carry the point, may easily manufacture "a batch of peers," and settle the affair at once. And then will come the discontents of the old nobility, the grumblings of their retainers, (not few in number, and having great power)—sustained by a high-fied and imperious clergy,* trembling for the thirty millions of dollars which they annually exact of the people, by the sword;—for it is manifest that reform will not end in the house of commons, and the poor-houses continue to be filled with £3 millions of wretched beings—that the great landholders, through the corn laws, the clergy by their tythes, and the immense army of sinecurists and pensioners remain, to fasten on those means which a half-starved populace demands for immediate subsistence. England must,—inevitably must,—one day, pass through a series of events hardly less terrible than those of the French revolution—for the public debt, and the host of exactions of labor, must be done away; but whether things are ripe for revolution, we venture not to assert. A trade as free as that of the United States, would capsize the king, lords and commons, and extinguish the bench of bishops, in twelve months—and the British systems are so rotten, and the diseased parts bear so closely upon one another,—that to remove any part endangers the whole concern. The reform of parliament, in itself, would render no service to the people. The vaunted emancipation of the catholics of Ireland has done nothing to keep the people from starving, or to protect them from barbarous murderings of one another. But a beginning must be made somewhere—however dark the ending may appear. There is a point at which suffering will stop—when the majority, even in the most enslaved countries, must assert their natural right to rule, and build up a dominion, though based on the slaughtered bodies of their fellow men.

Iron manufacture creates for the production of the farmers, and we must believe that the entire aggregate is fully equal to the whole value of flour exported to foreign places.

*Only one of the bench of bishops, (Chichester), voted for the reform bill.

THE ENCOURAGEMENT OF DOMESTIC MANUFACTURES AND INTERNAL IMPROVEMENTS. We should have, indeed, a difficult business, were constructions of the constitution left to the determination of those who talk so much about "state rights." From 1807 to 1815, to have doubted the right and duty of congress to encourage and protect domestic manufactures, would have been regarded as *TOXIC*, in the first degree, by the starbuck politicians of Virginia—as numerous matters on record plainly shew us; Mr. Jefferson himself going so far as to suggest "PROHIBITIONS" that such encouragement and protection might be effectual! This was the *ne plus ultra* of what has since been called the "American System." Indeed, few of us are willing to go so far—except to prevent frauds on the revenue, and assure to DOMESTIC INDUSTRY the whole benefit of the laws enacted that it may prosper, and advance the population and wealth of our country, both which are mightily promoted by its success. FRANKLIN would have called such acts *population laws*; and his notion was that a "virtuous populace" was the first element of national power—as some, in the *loss* of it, have fearful reasons to admit, though a false pride, gathering to itself increasing evils and husbanding new causes of adversity, may prevent an acknowledgment of the principles still it goes on, and will go on, whether admitted or not. But let this pass. We would rather hold up a happy future than prophesy misery.

So it was in respect to internal improvements. The books are filled with proceedings of Virginia, (that paladium of the constitution!) favoring their progress, at the national expense. On the 26th February 1816, a resolution passed the house of delegates soliciting the co-operation of the senators and representatives in congress from that state, for the purpose of engaging the aid of the national government, to effect a communication between the waters of the James and Ohio rivers; and on the 16th Dec. in the same year, the executive of the state, (Mr. Tazewell being one of the members), communicated to the legislature a recommendation of the board of works, warmly urging that the assistance of the general government might be solicited, for the improvement of the interior of Virginia! On the 22d Feb. 1817, a resolution passed both branches of the legislature, in pursuance of the preceding recommendation of the board of works, that a correspondence should be opened with the government of the United States, concerning the extension and improvement of certain roads and rivers. See REGISTER, vol. XXX, page 282, for these things more at length. Really, the constitution would be a queer thing—a strange compound of erudition—if it fit to the never-ending changes of opinion in the "orthodox," which, as Dr. Fothergill said, means "uppermost"—as "the wind blows!"

And how has it been with the now frantic "state-rights" politicians of South Carolina, and the present head-men of nullification? What was it that Messrs. Calhoun, Hamilton, McDuffie, &c. could not find constitution for, in 1823-3? Were they not at daggers-points, almost literally, with Mr. Crawford and his party, the radicals in red-jackets, because they would limit the powers of the general government, or, as Mr. Calhoun and his school preferred to say, the national government? Did not this latter party, with a high hand, throw Judge Smith, "neck and heels" out of the senate of the United States, because that he spoke of "state rights?"—and have not the same persons, under a new organization of principles (!!!), again cast the same Judge Smith out of the same senate, because he thought that all power was not vested in the states? *Politics*, like the wand of Prospero, conjures up storms and tempests, spirits of the air and imps of hell; and the senses of men are so bewildered, that the spear of *Ithuriel* touches things in vain, to shew their delusions! But this state of society cannot last. The whirlwind will not always feed itself. Passion must yield to the soberness of reason. "Truth is mighty and will prevail."

There is no earthly thing better established in its principle than the right of congress to protect the industry of the people. The chain of evidence in its favor, is perfect—from 1765 to 1831. An hundred consecutive proceedings of the freemen of our country

in their primary assemblies, and an hundred consecutive acts of their representatives, while the revolution was preparing, proceeding, or accomplishing, establish this right as a "natural and unalienable" one, being the "pursuit of happiness"—without which the gift of life is valueless, and that of liberty nullified. The master-spirits of the revolution—the giants of the days when "struggling nature" gave birth to our republic—all, all, asserted and proclaimed and defended this right. There was only one Arnold among them. British gold had its solitary influence then. FRANKLIN, and the rest, regarded and encouraged domestic industry as the pioneer and shield of independence—so had all the British statesmen, from CHATHAM, who would not have allowed us to "manufacture a hob-nail," down to the meanest of the set that demanded unqualified obedience and abject submission of our fathers. We have the record of these things, and the record is true. The primary meetings of the people, and the assemblies of their delegates, previous to and during the revolution, were not made up of liars—nor of fools. Look at the testimony presented in the address of the late convention at New York, Mr. Brown's speech, inserted in the present number, and Mr. Everett's able and eloquent oration, delivered before the American Institute—and the multitude of testimony that might be referred to. And when the war at arms was ended, the people soon found that the "REVOLUTION WAS NOT OVER." They were politically independent—but personally chained to a support of the paupers and profligates, civil and ecclesiastic, of Great Britain. They essayed, in their respective states, to relieve themselves of this oppression, which was grinding them to the bone—but essayed in vain. Each state, surely, then had the power to "REGULATE COMMERCE"—but there was no harmony in operation; and Lord Sheffield, and others of his loud school, exulted that the profits of American labor would centre in the "mother country" without the expense and trouble of governing it! But he and they were doomed to see the establishment of a FEDERAL ADMINISTRATION, the leading object of which, (we have the best possible authority for saying—the statement of Mr. MADISON, and as far back as 1795)—was to condense and direct the power to "regulate" trade (which the states had inefficiently exerted), for the "general welfare"—the states yielding every claim to such power; nay, going so far as to prohibit the exercise of it by themselves, individually, for each was smarting under the ruinous effects of this misguided and distracted, yet vital power. And how was the ratification of this federal compact received by the people—how was it celebrated? By numerous and splendid processions of MECHANICS and ARTIZANS, hauling the result as accruing to them a reasonable enjoyment, through labor—by checking the influx of the productions of foreign labor, coming into competition with their own. And yet further—the very first petition presented to the first congress under the constitution was from Baltimore, praying the establishment of an "American System;" which Mr. JEFFERSON afterwards first clearly designated, and Mr. CLAY first reduced to method and gave a body to. Charleston, S. C. and New York, and many other places, followed close upon the heels of the people of Baltimore. Indeed, the whole free laboring population of the United States looked to the first congress for encouragement, support, PROTECTION; and the first legislation of that congress was to "encourage manufactures." And what has happened since? No congress, nor president, nor chief justice, has ever rejected this power. The statute books are filled with acts to foster agriculture, encourage manufactures, and protect commerce—and they all rest on the same principle—the same yielding of "sovereignty" by the several states,

*In one of his letters in 1817, Mr. J. said, "The history of the last twenty years has been a sufficient lesson to us all to depend for necessities on OURSELVES ALONE; and I hope that twenty years more will place the American hemisphere under a SYSTEM OF ITS OWN, essentially peaceful and industrious, and not needing to extract its comforts out of the eternal fires raging in the old world."

the same prohibition of a resumption of it by them.* Every precedent and practice is in favor of the principles for which we contend, and every state has repeatedly acknowledged them, even nullificatory South Carolina. Who doubted this power when WILLIAM LOWMYER, and a majority of the delegation of South Carolina, voted for the tariff law of 1816? Nobody!—No voice had even been raised to question it. But it was reserved, and at a recent date, for some men to discover that those who made the constitution did not understand its meaning—that every congress was composed of a majority of fools, and that all the presidents of the United States, and all the chief justices, were arrant blockheads! This is the true state of the case, and notwithstanding at least four-fifths of the people admit or cleave to that power, as indispensable to the prosperity and duration of the American republic. I might say, ninety-nine hundredths of the people—for he that admits a right in the general government to protect the fruits of our soil, or the products of our workshops, in their transit to market, by vessels of war cruising even at the antipodes,—surely must grant a power in the same government to protect the farmers and others in the growth or manufacture of these very articles, located within the body and forming an integral part of the government, and reposing, as it were, immediately under the wings of the eagle—the emblem of this land of the free.† And it should be always recollected, that every bale of cotton goods, cask of nails, case of hats, trunk of boots or shoes, package of cabinet furniture, exported, as much, and as faithfully, represents *flour* and *beef* or *pork* exported, as the barrels of those last named articles, duly inspected and branded and entered on the custom house books, can possi-

*By the 3rd art. of the 7th sec. congress has power to "regulate commerce with foreign nations," &c. and by the 2nd art. of the 10th sec. the states are prohibited from laying duties on imports or tonnage, &c. By the embargo laws, the power to "regulate commerce" was so far extended as to cover its entire destruction, if thought expedient. If there is a right to destroy, the right to restrict cannot be doubted. The greater inevitably includes the lesser power.

†It is not worth while to mince the word—I regard that American merchant as a *sheer knave*, who calls upon the United States to protect him in his pursuits, and guard his ship and her cargo at the cannon's mouth, that he may make profit on his capital—and denies a right in the government of the United States to protect weavers, hatters and shoe-makers, peacefully employing their capital, which is *labor*, (the source of all capital,) at home, by which their wives and little ones are fed and clothed. If these "free trade" merchants are gods, let them shew their patents—let them fight their own battles—LET THEM PROTECT THEMSELVES. If a piracy happens at sea, though it affects property only, a vessel of war goes off with a hurrah to catch the villains!—but if a fraud is committed at the custom house, by which the property of a manufacturer is spoiled, no sensibility is roused, and the gentleman who commits it has credit for his sagacity—perhaps, even for his PERJURIES!

It is time to speak plainly about these things—and we will do it. We may as well employ British merchants as consume British cloths—and the people will soon say so.—IMPERATIVELY SAY SO.

[There has lately been a mighty out-ery among the ambassadors from the manufacturers of Yorkshire, who "lie abroad" for the benefit of those who pay them, because that the collector at New York has ordered all packages of cloths, reported at the dollar minimum, to the public stores, for examination. They, forsooth, complain of the proceeding as being tyrannical, injurious and unjust! THAT are a pretty set to make such complaints. How many thousand barrels of American flour are locked up in the English warehouses—because of English "regulations of trade" as to their own market? What package of American goods may pass into the hands of English merchants, previous to its special examination by English custom-house officers? Whatever so American may say in respect to this matter we can easily bear with—but it is *sheer impudence* in Englishmen to utter one word about it—impudence of supreme magnitude, and should be checked.]

bly do. It may be generally said, that every 100 dollars worth of goods manufactured in the United States, whether for the domestic or foreign demand, have, in the materials of which they are composed or the subsistence of the persons employed in making them, not less than 75 dollars worth of the products of our fields, forests and mines. Thus, if the manufactures of the United States have a general value of 500 millions a year (and I feel certain that this is less than the ultimate price of the various commodities of our mechanics, manufacturers and handicrafts), 375 millions of that value has its origin and resting place in lands and their productions. These things are not said slightly. Let no one be startled at the magnitude of the amounts suggested, but divide them among the 13 millions of persons to be supplied,—from anvil to skillets—ships to shav- ing boxes, from great coats to buttons at 2 cents per dozen,* and so on, through all the trades and manufactures, and it will not appear that I have adopted extravagant sums.

But we are called upon to cast away this mighty home-market and take up "free trade!" Do we not already export all that other nations will take from us? What American commodity is there that commands a high profit, to the American producer, in a foreign country? All are as prohibited, unless in small quantities or at particular places, except cotton. Grain or flour is virtually excluded—so are beef, pork, fish and all the rich products of the sea, as well as those of our forests and workshops; tobacco is taxed 1,000, and rice 100 per cent. The foreign market cannot be enlarged; yet some would embarrass and destroy the home demand! Were the ports of Cuba shut against our flour (though not more than 100,000 barrels have been annually received), the price would be diminished 25 cents per barrel; but ruin the market of New England for a million of barrels of flour from the middle and western states, and what would be the consequent reduction in price of all and every commodity of our farmers? whether could this then surplus million of barrels be sent? To "free trade" Great Britain?—that land of "philosophers," who theorize for our benefit and practice for their own!

There is no such thing as "free trade"—nor can there be, until nations are brought under the same standard of subsistence. If the United States were blessed with about two and an half millions of paupers—free white men hired out like black slaves, perhaps a system of free trade might be arranged between us and Great Britain, that would work to the yet further making of paupers in both countries! But Britain thinks she has enough of these already—and hence denies free trade to other nations, that they may assist in supporting them; and holds fast to her restrictive system, that foreign competition may not multiply her own wants! Generous John Bull!!!—Look at the facts stated concerning the whale fishery, in another part of this sheet. If our eastern brethren had free trade with England only in that, they would turn the balance of trade in our favor, and sweep every British ship engaged in the fisheries from every sea, by their superior patience, perseverance, and skill; and their fields "in the deep" might become nearly as valuable to our country as the fields of cotton. Aye, and thousands of MEN, (rocked on the wave), be reared, that would firmly grasp, and unconquerably uphold, the "starry banner," wherever a keel might proceed on the ocean.

There is a great excitement at the south against the protecting system. Why, we do not understand, except in that spirit which envies what it has not the virtue to imitate. The partisans of the new doctrines will not condescend to enlighten us—they must admit a reduced price of all the articles which they have to purchase, and yet charge extortion and monopoly on those who mainly supply them. They will not go into particulars. Like "I TUE KING" of Spain, they say, we are oppressed—and if not, we have a right to think so—and thinking so, THE MINORITY OUGHT TO GOVERN! South Carolina, urged on by a few mad politicians, seems half-ready to venture

*Serviceable buttons are made, in any quantity, in Connecticut, and sold at 25 cents a groce. I have a specimen of them hung up to shew the "extortion" of the manufacturers.

upon an experiment which certain British politicians have long thought that they themselves might succeed in—a dissolution of our union, and a return of the southern states to their ancient allegiance; and such, in fact, must be the irresistible result of present designs, if nullification triumphs—and other circumstances shall not render such allegiance nearly worthless.

That the "will of the majority to be rightful should be reasonable," is cheerfully admitted; but if the judgment of this rightfulness belongs exclusively to the minority, as claimed by the mail-caps of South Carolina, the *ultima ratio*, or an appeal to force, must decide the question; and to this the people of that state (though divided among themselves, and having within themselves a most fearful agent of decolation), are furiously urged. No objection is offered to a revision of the protecting laws—to a reduction of the "taxes" on the people, as pertaining to duties levied on certain goods imported—but these deny the right of the whole protecting system, and will prescribe all the articles on which duties may be levied, either for revenue or the "regulation of commerce." And who are they that pretend to this construction of the constitution and power of legislation, and claim an authority to enforce their decision?—About one half of the 257,873 people of the United States located in South Carolina, against more than ten millions of the people inhabiting other states! We in the majority would do much for the sake of harmony—yield much, even of our undoubted rights, (without abandoning principles) in a spirit of conciliation; but it must not be demanded that we shall give up the power to protect ourselves! And here the point is at issue. We will go far to accommodate, but cannot offer sacrifices to learn; and if the minority is to determine as well the expediency as the constitutionality of ALL public measures—(and for such South Carolina really contends), the sooner we know it the better! If South Carolina may nullify the tariff laws—*Mississippi* may do away the judiciary act—*Delaware* nullify the appropriation to the Chesapeake and Delaware canal, and take possession of the property—*Missouri*, under the guidance of col. Benton, make it a felony for any man to pay his honest debts in a solvent currency—*Illinois*, on the suggestion of gov. Edwards, nullify the land laws, and seize upon the property of the United States for the benefit of that state—*Maine* put a stop to all negotiations with England, and make war on New Brunswick—and Virginia, especially Virginia, splendidly led on by Mr. Randolph, make it a capital offence to count values by dollars and cents—tobacco, glorious tobacco, being the only just measure of worth in the "ancient dominion," even wherewith to purchase wives, as was the practice in those days which Mr. Randolph so dolefully laments have passed away, and never will return. In this state of things, nullification must end in the extinguishment of all power in the general government—fierce contests between the states—the victory of the strong, and the enslavement of the weak. AND IS SO IT MUST BE—IT MUST!

OLD TIMES. When George Washington, the father of his country, was installed president of the United States in 1789, he was clothed in American cloth. When John Hancock and Samuel Adams, the "rebels" excluded from the royal mercy and grace, were installed governor and lieutenant governor of Massachusetts, at the cradle of the revolution, in 1789, they were both dressed in homespun.* When James Madison, the father of the constitution, took his oath of office as president of the United States, in 1809, he was also clothed in the products of American labor. And it was just about this time that John Randolph disavowed the use of home-made goods, because it was thought "patriotic" to prefer them.

The last named, it is stated, attended to make his late speech to his "dear constituents," in a British built coach, drawn by four horses.

*The buttons on the coat of John Hancock were of silver, and of American manufacture—the device, a shepherd shearing his sheep—the motto, "you gain more by our lives than by our deaths."

MONEY has become excessively "scarce," and will be scarcer, unless some diversion in our favor should kindly be made by the people of Europe—a small thing, like a general war, a complete "row" in England, or a brisk and bloody civil contention in France. But the revenue is flourishing—and if its excess of 8 or 10 millions causes bankruptcies to the amount of 100 millions, or depreciations in property equal to the value of hundreds of millions, unhinging all the relations of society that England may have a market for her goods in America, may we not glory that the public debt is paying off, and that persons, who do not want money, will be forced to take it?

To be serious—the prospect of the coming winter is a grave one, and a serious depression will be extensively felt, unless on account of some fortunate incident. The product of the pauper-labor of England has been pressed into the United States to a ruinous extent, and every class of society, except office-holders, and others living on fixed revenues, will feel it. There is a doubt about the necessity of protecting the home industry, and yet all that we have to export—or, rather, all that other nations will receive, will not pay for even the manufactures of leather, hats, caps and bonnets that we use. We are glad however to observe that there is some advance in the price of flour—for the home demand. This will increase the circulation of values, and help to settle balances between individuals.

THE DUTY on coffee will be one cent per lb. on bohea tea 4 cents, souchong 10, hyson 12, imperial, &c. 25—on the 1st of January next. It is estimated that these reduced duties will affect the revenue in the sum of about 1,500,000 dollars, and yet the products of the duties on imports are enormous.

SUGAR. If a writer in the "Salem Gazette" had referred to the 38th or 39th vol. of "Niles' Register," for his facts concerning sugar, instead the 9th [1816],—he would have seen that protection, (or something else, I care not what), had mightily reduced the profits of the planters, and caused a supply of the commodity at a reduction in price, as compared with that of 1816, equal to the whole amount of the duty or "tax" imposed on the foreign article. The calculations then of what has been might as well have been "let alone." "Things as they are" most interest us.

TANNERIES. The capital invested in the tanneries of New York, is estimated at five millions of dollars. Their annual production is pretty nearly in the same sum.

BRITISH IRON TRADE. In addition to the facts stated in our last, we now learn that such is the ruinous depression in this branch of manufacture at the present time, that pig iron, which cannot be sold for less than £4 per ton, so as to remunerate the manufacturer, may now be bought in any quantities at £2 10s. per ton. The principal cause of the depression is the excessive quantity manufactured.

RESTITUTION. Treasury department, November 16, 1831.—The secretary of the treasury has received one hundred and seventy-five dollars, transmitted anonymously through the post office, as "a balance acknowledged at the confessionals, to be due unto the United States, by a member of the Catholic church."

[The drag-gaitered gentry who have long infested N. York, have defrauded us of millions—but there is little hope of reaching the consciences of these men, except through a swiftly-expected consumption of hemp. Is it not a shame, that three fourths of the whole importation of goods from England, at that port, is in the hands of men who are aliens to the United States.]

RAIL ROADS VERSUS CANALS. Among the selections from foreign newspapers in the National Gazette, we find the following—

"The Liverpool Albion relates a singular fact in relation to rail roads and canals. A bill has passed the British parliament during the present session, and received the royal assent, for converting the Manchester, Bolton and

Bury canal into a rail road. This canal is eleven miles in length, and runs through one of the most populous, wealthy and important manufacturing districts in the country. It forms a part of the line intended for the proposed rail road from Liverpool to Leeds. The majority of the stockholders in the canal have spontaneously acquiesced in the change."

GOLD has been found, in considerable quantities in Indiana—and rich deposits have been discovered in parts of the low country of North Carolina, near Ransom's Bridge, about 200 miles east of the western mines in that state.

VERMONT. Mr. Slade, formerly a clerk in the department of state, and rejected by Mr. Van Buren, has been elected to congress from the district lately represented by the lamented *Mallory*—after many trials to make a choice. Mr. Slade was the anti-masonic candidate.

MASSACHUSETTS. The annual election for governor, lieutenant governor, and members of the legislature, took place last week. Three candidates were run for governor, and the latest return of votes stands thus:

For Mr. Lincoln (Nat. R. publican),	22,622
Lathrop, (Anti-Mason),	10,585
Morton, (Jackson),	9,038

It was thought by many that, after the publication of Mr. Lincoln's letter, the anti-masonic would not have offered a candidate—Mr. L. never having had any connection with the society to which they are opposed.

Yet another attempt to elect a member of congress from the Bristol district has failed—for Mr. Hodge 3,143, Mr. Ruggles 3,085, and 184 "scattering." Mr. H. wanting 54 votes of an election. So in the Essex North district—for Mr. Cushing 2,050, Mr. Kirtledge 1,591, Mr. Osgood 1,463, and 25 scattering—"no choice."

NEW YORK. The contest at the late general election in this state, seems to have rested almost wholly between the "Jackson" party and the anti-masonic. Of the assembly, the former has elected 93 members—and the whole "opposition" is put down at 35. The result is nearly the same as it was last year, when the Jackson party had 95 members. The senate has the same political character. The number of votes taken was small—no great deal of interest having been excited.

GEORGIA. Warm work seems to have been expected in this state, because it was feared that certain returns of votes for governor, not being altogether in the forms required by law, would not be handed over by the then governor to be counted. A correspondence was opened with Mr. Gilmer on the subject, but he declined to answer certain letters addressed to him, and "down with the usurper" was already the cry. But so it was that, whether these votes were counted or not, Mr. Lumpkin was declared to have the majority, and duly installed. Parties are exceedingly hot in Georgia—though, as we have more than once remarked, we do not know what the people are differing about. Perhaps they are touched with the old politics of New York, by which persons were transformed from democrats to federalists, or vice versa, while sleeping in their beds—the test sometimes suddenly changing from an opposition to a support of Messrs. *Clinton, King*, or other distinguished individuals—as the magician worked his wand. It seems that the political party opposed to gov. Lumpkin, has a small majority in both branches of the legislature.

KENTUCKY. The following is a statement of the vote for senator in congress, in the legislature of Kentucky:

In the senate.

For Henry Clay,	18
R. M. Johnson,	19
Warden Pope,	1

—
38

In the house of delegates.

Henry Clay,	55
R. M. Johnson,	45

Mr. Clay, with col. Johnson, and Mr. Rowan, the late senator, were all at Frankfort at the time of the election. When general Jackson, under the same circumstances, was elected a senator of the United States from Tennessee, he had a majority of 10 votes over Mr. Williams.

The Washington Globe uses the following language, in anticipation of the election of Mr. Clay. It suggested perjury and fraud in advance, on the legislature of Kentucky!

"It under these circumstances, Mr. Clay should come to the senate, he will but consummate his ruin. He will stand in that body, not as the representative of Kentucky, but of a few base men rendered infamous by the fraud perpetrated in electing him. He will be but the shadow of what he was once in congress, when he stood upon the basis of the democratic principles which he then avowed, and which the people of Kentucky still maintain. He will no longer represent his countrymen—but like an Irish patriot become an English pensioner, he will represent an odious oligarchy; and owing his station altogether to chicanery and management, he will be stripped of the dignity of his character, and will gradually sink into insignificance."

Since the election of a senator from Kentucky—the editors of the "Globe" are not any better pleased. Why not suffer the gentleman preferred to slide into "insignificance," as it is authoritatively said by the Globe that he "will?" We wish a truce to such rough impenchments.

STATE BANK OF TENNESSEE. The following is an extract from governor Carroll's message to the legislature of Tennessee, transmitted on the 19th ult.

"In the communication which I made at the commencement of the last session of the general assembly, I urged the propriety of a strict examination of the state bank, from a conviction that many of its officers and agents had disregarded the trust reposed in them, by using the public funds for their own private advantage. The joint committee to whom was referred the duty of enquiring into the condition of the bank, discovered that the officers of the principal institution at Nashville were defaulters to a large amount; but the near approach of the termination of the session, when this information was obtained, rendered it impracticable, at that time, to ascertain the precise deficiency. The new directory, however, were authorized to bring the business to a close as soon as possible; this they have not yet entirely accomplished, although great diligence has been used for that purpose. Nearly two hundred thousand dollars have been obtained from the cashier and clerk, and it is still to be feared that there is still a considerable sum in default. When it shall be accurately known, a hope is entertained, that the securities of the cashier will be disposed to settle, in a manner satisfactory to the state. Although there is every reason to apprehend, that a loss will be sustained at the principal bank in Nashville, yet it is believed that a much greater proportional deficiency will be found to exist at the agencies. The report of gen. Smith, of the examination which he has made of the agencies in West Tennessee, is now before me, and it exhibits extensive insolvencies on the part of the debtors, and great maceracies in the transaction of the public business by most of the agents. The amount due at the agencies in West Tennessee is about two hundred and fifty thousand dollars, and of this sum at least sixty thousand dollars, and probably more, will be certainly lost. The gentleman appointed to examine the East Tennessee agencies has not reported; but it cannot be otherwise than that some loss will also be sustained in that end of the state. From this view of the subject it is palpable, that the state has already incurred a heavy injury, and that most of its funds are in great jeopardy. What then can be done to secure the interest of the country? The answer is obvious. Measures must be immediately adopted to close the affairs of the bank with as little delay as possible, taking care not to oppress the debtor part of society."

MISSOURI. General Ashley, the independent candidate, has been elected to congress in the place of the late Mr. Pettis—beating Mr. Wells, the "regularly nominated Jackson candidate" by a very decided majority.

The general is in favor of internal improvements, the protection of domestic industry, the judiciary, and the bank of the United States. The people of no state have better reason to value a sound currency than those of Missouri, for the doings of the "rag barons" there were exceedingly oppressive—and then came the "loan office" scheme, to gnaw at what the "barons" had failed to obtain—and waste. Gen. Ashley is a decided supporter of the "American System."

MASONS. The Globe publishes with approbation a paragraph from the Anti-Masonic Star—which concludes by saying—"Mark our prediction. A majority of the Baltimore convention, in December, will be actual masons or their relatives."

The delegates from Baltimore are not masons. How their "relations" stand we do not know. But the nearest relations of one, we happen to know, are Episcopalians, and of the other Roman Catholics.

A letter published in the "Globe" from Indiana, says that the design of the opponents of the present administration in that state, is to prefer Mr. Clay for the presidency and Mr. *Wirt*, for the vice-presidency, and "thus puts down anti-masonry by electing two masons."

COTTON. From the Charleston Courier of Nov. 12. A friend, now on a visit to the eastern states, has sent to us, by the ship *Dover*, from Boston, a specimen of what is called "*Peyta cotton*," a small portion of which is in the seed, and a portion ginned; together with the seed taken from the latter, which may be examined at our office. It is stated to grow spontaneously on the coast of Peru, and that any quantity may be had in the seed, at one cent per pound. Two parcels have been imported into Boston, one of which, amounting to about 200 bales, has been ginned out by a common saw gin, and some of it sold at 15 cents per pound. The other parcel is in the process of being cleaned by hand. It was found to lose about 2-3ds of its weight in the process of cleaning. The merchants interested in these importations, according to the statement of our correspondent, seem to think if the duty on imported cottons were removed, that a good business may be done in the article. The staple is so long, that none of the machinery at present in use in the neighborhood of Boston can work it advantageously. Our correspondent also states, that there is a quantity of the seed which might be procured, should any of our planters be inclined to try it. The plant is a perennial one.

CANADIAN COMMERCE—free trade. The Montreal Gazette of Nov. 8, says, we mentioned some months ago, that a mercantile house in this city had made a shipment of flour to England, manufactured at the Gananoque mills in the upper province, from wheat imported from the U. States. The certificate of the custom house in this city, which accompanied the flour, stated these facts concerning its origin; and we are pleased to learn from the shippers of the flour, that they have received intelligence from Liverpool of its having been admitted on the same terms as colonial flour. Upon this point we now have the concurring opinions of the highest law officer in Upper Canada, of our custom house department, and of that in Great Britain, so that all doubts that may have been entertained on the subject, must be dissipated.

"SCARCITY AND SUPPLY." The small comparative reduction of four millions, in the circulation of the bank of England, has caused a most severe pressure for money in that country—for even that amount assesses a value, as it were, on all sorts of commodities.

The London Herald says—According to the governor of the bank of England the amount of the notes in circulation at present is, as near as can be ascertained, 17,600,000. Thus, within a short period, it appears that the currency has been reduced about four millions. No wonder that the prices of produce and manufactured goods are falling, or that the nation, in general, is in a state of distress. We do not blame the directors of the bank for withdrawing their issues—it might have

been necessary for the safety of their establishment; nor do we blame them for keeping secret their affairs—that indeed is the work of the proprietors; but we say that no company should possess the power that this does—a power by which the directors are enabled to raise or depress the price of every thing at their pleasure. It is, however, quite clear to us that one of two things must be done—either the currency must be increased by the issue of one pound notes, or the expenditure of the state must be reduced at least one-third.

ENGLAND AND CHINA. By the brig *Osprey*, captain Caldwell, arriving at Charleston from St. Helena, intelligence is received that, on the 16th September, the East India company's sloop of war *Cootie*, arrived at St. Helena, with despatches for England, announcing that the English factories at Canton had been broken up by the Chinese, the servants attached to the factories had had their hands taken off, the likeness of King George torn down and trampled under foot, the trees in front of the factories torn up, &c. All commerce between the English and Chinese ceased after the 10th August, and the British ships had all left Macao.

[If the ports of the "celestial empire" should be blockaded by the English, as it is possible that they may be, what suffering will there be in all the world for the want of those things which the emperor has been graciously pleased to let the barbarians carry away, (in exchange for silver), that they might not perish—such as tea, porcelain and fans!

[Other accounts say that things had not proceeded to such extremities, between the British and Chinese—but speak of serious difficulties between them.]

COLONY OF LIBERIA. In the town of Monrovia, 55 new wood and stone houses were erected; Caldwell and Millsburg, and some towns for recaptured negroes, share in the general prosperity. Francis Devanny, an emancipated slave, has accumulated a property worth \$20,000. Mr. Warring, another colonist, sold goods to the amount of \$70,000; two of the colonists own vessels, and would trade with the United States, had they a national flag. Net profits on ivory and dye woods, passing through the hands of the settlers in one year, was \$30,756; eight vessels traded to the colony last year, from Philadelphia.

In agriculture, every thing grows spontaneously; there is no winter; one continual spring blooming. There are six schools in successful operation. It is calculated that every child in the colony shall be educated; 100 from the neighboring clans now attend the schools in Liberia. Divine service and Sunday schools are regularly attended. There are three religious societies, Baptist, Methodist and Presbyterian. Meetings on the Sabbath and week day evenings. Three Swiss missionaries reside there. The Christian religion appears to have some influence on the surrounding tribes. The population is 2,000—they have 6 militia companies, a fort, 20 pieces of cannon, and arms enough to arm 1,000 men. [N. Y. Evan.

MR. BARBOUR. We met with the following in a letter from the Washington correspondent of the "United States Gazette," and give it a place the more readily, because we have heard the same facts stated by persons who were present at the discussion spoken of—and the like of which, with a complete overthrow of Mr. Barbour's theories, we had the pleasure to witness at Washington in 1828, in an argument between him and our late valued and dear friend, Abraham H. Schenck, of Matteawan, New York. Never was the mastery of a practical man more fully shewn than on the occasion alluded to.

While the anti-masons were in Baltimore, Mr. P. P. Barbour arrived at Barnum's, on his way to Philadelphia. He was very eager to come in conflict with some of the tariff men from the eastward, and threw himself out for that purpose. After some skirmishing about, he encountered a Rhode Islander, a merchant from Providence, who at once entered the lists against him. Mr. Barbour commenced with a pretty vigorous attack on the tariff, as productive of ruinous consequences to the

south. He was requested to come down from generalities, and specify the articles on which the tariff operated with such a destructive effect. He selected accordingly, and ran through his list with his accustomed volubility. The Rhode Islander then produced a comparative price-current, from which he demonstrated that the articles which had been specified, are now to be obtained in the south at a lower rate than before the tariff was imposed. Mr. Barbour referred to some other articles, but he was again met with the same plain matter of fact refutation. Driven from all these points, he discharged a tremendous volley of theories and abstractions, and pushed off with a declaration that, if the southern people believed themselves to be oppressed it amounted to the same thing as if they were oppressed; and that, if by the repeal of the tariff, which they solicited, they injured themselves, it was nobody's business but their own.—But he was not permitted to enjoy even this position. His opponent steadily denied that the southern citizens had any right to the gratification of a mere caprice, when that gratification was to be attained by the ruin of so large a portion of the country—it must be ruined by a repeal of the tariff. Millions of capital suddenly thrown out of employ, and splendid establishments overthrown in an instant, and thousands of citizens rendered at once poor and without a vocation, were considerations too weighty to be invoked for no other purpose than to satisfy a few restless politicians and enthusiastic theorists that they were in an error. The triumph of the eastern merchant over the southern lawyer, was considered by the auditors as complete; and several were solicitous to find out the pedigree and profession of the victor. They were informed that he was a man of no proud pretensions, but was a fair specimen of the average population of the section of country from which he came. His knowledge was practical; and the superiority of practical knowledge over high-sounding theory, was never more perfectly demonstrated.

THE FREE TRADE CONVENTION. The correspondent of the New York Enquirer, who professes to have been a spectator of the proceedings of this body, gives the following ludicrous caricature in one of his letters*—

After the proposition of Mr. Gallatin was quietly disposed of—and it was a difficult task to do so—Mr. Johnson, of South Carolina, made a motion which again excited the deepest expectations of the crowd. "Now for a fight! now for a fight!" "Here comes the thunder and lightning at last!" He objected to the clause which recognised the incidental power to protect manufactures. This motion almost led to a complete disruption of harmony. The clouds lowered and mutters of the thunder were heard. I never saw any assembly so near plunging into a fiery debate which might last for days. Mr. Sherman, of Connecticut, and Theodore Sedgwick, had almost broken down every feeling of caution. Happily, Mr. Sedgwick threw into his speech some eccentric views, which created a general smile over the convention. His views of the tariff were quite original. He believed it to be perfectly constitutional but radically unjust. His objections to it rested on a higher ground than unconstitutionality—the tariff laws were contrary to the laws of God and nature, and that was the reason of his opposition. He appeared to believe free trade was a God-Almighty principle; and, therefore, all tariff men were abominable sinners, and irrecoverably damned. This made the southern nullifiers smile and others laugh outright. You will be surprised when I tell you that the South Carolina nullifiers are sane, reasonable men, when compared with those from Boston. During this latter debate, it was the greatest difficulty in the world to prevent one of these Boston gentlemen from getting up and "letting slip the dogs of war"—opening the very chambers of the tempest and hurricane. There is a comical anecdote told of three true blue southern nullifiers laying hold—one on each arm, a third by the tail of his coat—and keeping one of the red-hot Boston nullifiers quietly in his seat, in spite

of his attempts to make a flaming speech. A southern nullifier only believes that a single state has a right to nullify a tariff law—the Boston nullifier goes much further—"damn the union," says he, "who's afraid? Not only has a state, but a town—a county—nay, a single man, has a right to nullify a law of congress and secede from the union."

THE MILITIA SYSTEM. Many extravagancies have been exhibited at New York, Albany, &c. to destroy the present militia system, by ridicule. Falstaff's account of his recruits, is a moderate thing compared with these parades! The descriptions of the dresses and equipments of the "soldiers," shew that, in inventive talents, our people are not confined to the discovery of the quadrant, the cotton gin, the application of steam to boats and land carriages, the making of machine cards, and other "notions."

FASHIONS COME ROUND. In 1663, the legislature of Massachusetts passed the following law:

"And hereafter, no person whatever shall make any garment for women with sleeves more than an ell wide."

Sleeves a yard and a quarter wide! No small latitude this for the daughters of the first settlers. If this law was deemed necessary, the fashion must have far exceeded an ell. The dresses of the "charming creatures" of those times, probably rivalled the exquisite amplitude of the bishops of the present day.

[*Boston Centinel.*]

DOMESTIC SLAVE TRADE. According to the New Orleans papers, there were imported into that port during the week commencing on the 16th ult. from the various ports of the U. States, 371 slaves, principally from Virginia—as follows:

By the Tribune, from Alexandria,	141
Sarah, from Baltimore,	4
United States, from Norfolk,	150
James Ramsay, from Baltimore,	2
Susan, from Charleston,	14
Atlas, from Charleston,	60
Total,	371

Mr. JEFFERS, of New Jersey, who, as we thought was in Guatemala, having charge of the affairs of the U. States, very unexpectedly returned to New Jersey, and proceeded to Washington, "to explain (says the account) certain charges of forgery brought against him." And the Cincinnati Gazette of the 15th inst. says that the department of state had sent to the clerk of the court in that city, and obtained a copy of the indictment for forgery,—with a certificate that Mr. Jeffers had forfeited his recognizance. The last that we had heard of this gentleman until now, was that he had embarked at Pensacola, on the 11th October, in the U. S. schooner Porpoise, for the republic of Central America.

A QUESTION STARTED! In a laborious examination of old papers, to gather facts for an interesting purpose,—I oftentimes meet with things that amuse, and some that astonish me—among them many queer sayings of my old friend, Thomas Richee—which are valuable, seeing that a file of his paper cannot be obtained for reference to his vagaries; and thus, as has been severely said of medical gentlemen, his works are covered—almost by oblivion. What a fate for the great autocrat of "orthodoxy!"

The following, however, amused me,—and I thought that it ought to have a renewed and full publication, for the benefit of all men, and the Hebrews in particular! But this "I, MORDECAI MANUEL NOAH," (I always thought his middle name was "Manasseh"), now holds a high and responsible office under the United States—and I must needs think that the fact never occurred to president Jackson when he appointed him, that the said MORDECAI stands before us as a SOVEREIGN PRINCE, in command of a whole nation, making laws and assessing taxes, without the jurisdiction of the U. States, as well as within the same! The great question then is—is this sovereign prince, the said "MORDECAI"—deriving his title, as he gives us to understand, from

*We wish to be considered, however, as placing little faith in what is stated in the New York Courier, except when speaking against itself, or the party that it happens, for the time being, to adhere to. (Ed. Rzs.)

"JEHOVAH," eligible to the office of *surveyor of the port of New York*? Will the judge of the United States court, (who lately volunteered an opinion that certain of the most important acts of congress were unconstitutional), examine this matter and give us his decision? If Mordecai's office as "judge of Israel," is valid—the title of gen. Jackson to the presidency would appear somewhat questionable!

Ceremonies at the laying of the corner stone of the city of Ararat!!

BY M. M. NOAH.

[Extract from the order of procession.]

"Rev. clergy, stewards with corn, wine and oil.

"Bible, square and compass, borne by a master mason, the *rod of Israel* in black, wearing the *judicial robes of crimson silk, trimmed with ermine*, and a richly embossed gold medal suspended from the neck."

The procession enters the church. On the communion table lay the corner stone of ARARAT, with the following inscription in Hebrew:

"Hear, O Israel! The Lord is our God.—The Lord is one." Ararat, the Hebrew refuge, founded by MORDECAI MANUEL NOAH, in the month of Tisri, 5585, corresponding with September, 1825, and in the 50th of American Independence."

"PROCLAMATION."

[Extracts.]

"Whereas it has pleased ALMIGHTY GOD to manifest to his chosen people the approach of that period when, in fulfilment of the promises made to the race of Jacob, and as a reward for their pious constancy and triumphant fidelity, they are to be gathered from the four quarters of the globe, and to resume their rank and character among the governments of the earth."

"I, MORDECAI MANUEL NOAH, citizen of the United States of America, late consul of the said states for the city and kingdom of Tunis, high sheriff of New York, counsellor at law, and by the GRACE OF GOD, GOVERNOR AND JUDGE OF ISRAEL, have issued this MY proclamation."

"The desired spot in the state of New York, to which I hereby invite my beloved people throughout the world, in common with those of every religious denomination, is called GRAND ISLAND, and on which I shall lay the foundation of a city of refuge, to be called ARARAT."

"In His (JEHOVAH'S) name do I revive, renew and re-establish the government of the Jewish nation, under the auspices and protection of the constitution and laws of the United States of America. Confirming and perpetuating all our rights and privileges, our name, our rank, and our power, among the nations of the earth, as they existed and were recognized under the governments of the judges. And I HEREBY ENJOIN it upon all our pious and venerable rabbis; our presidents and elders of synagogues, chiefs of colleges, and brethren in authority, throughout the world, to circulate and make known this my proclamation, and to give it full publicity, credence, and effect."

"It is my will, that a census of the Jews throughout the world be taken, and returns of persons together with their age and occupation, be registered in the archives of the synagogue where they are accustomed to worship."

"Those of our people who, from age, local attachments, or from any other cause, prefer remaining in the several parts of the world which they now respectively inhabit, and who are treated with liberality by the public authorities, are permitted to do so."

"Those Jews who are in the military employment of the different sovereigns of Europe, are enjoined to keep in their ranks until further orders, and conduct themselves with bravery and fidelity."

"I command that a strict neutrality be observed in the pending war between the Greeks and the Turks, enjoined by considerations of safety towards a numerous population of Jews now under the oppressive dominions of the Ottoman porte."

"I abolish, forever, polygamy among the Jews."

"I prohibit marriages or giving *Keduction*, without both parties are of a suitable age, and can read and write the language of the country which they respectively inhabit."

"Prayers shall forever be said in the Hebrew language, but it is recommended that occasional discourses

on the principles of the Jewish faith, and the doctrines of morality generally, be delivered in the language of the country, together with such reforms which, without departing from the ancient faith, may add greater solemnity to our worship."

"A capitation tax of three shekels in silver per annum, or one Spanish dollar, is hereby levied upon each Jew throughout the world."

"I do hereby name as commissioners" [there follows a list of commissioners] "to aid and assist in carrying into effect the provisions of this my proclamation, with powers to appoint the necessary agents in the several parts of the world, and to establish emigrating societies, in order that the Jews may be concentrated and capacitated as a distinct body, living at the head of each kingdom or republic such presiding officers as I shall, upon their recommendations, appoint."

"I entreat to be remembered in your prayer, and lastly and most earnestly. I do enjoin you to—"keep the charge of the Lord thy God, to walk in His ways, to keep His statutes and His commandments and His judgments and His testimonies, as it is written in the laws of Moses, that thou mayest prosper in all thou doest, and whithersoever thou turnest thyself."

"Given at Buffalo, in the state of New York, this second day of Tisri, in the year of the world 5585, corresponding with the fifteenth day of September, 1825, and in the fiftieth year of American Independence."

By the judge "A. B. SEIXAS, sec'y pro tem."

BRIEF NOTICES.

Mr. Adams, late president of the United States, after the close of the literary convention at New York, proceeded to Washington, and arrived there last week.

Convictions. Many convictions of slaves have recently taken place in North Carolina, and execution swiftly followed. Several free negroes had been tried, and were acquitted.

Very important! Anderson, the English singer, who was driven off the stage in New York, has had the like calamity at Boston. A little more civility as to the people among whom he was coming to get money, would have prevented these things. The songster seems to have been very free with his tongue about the "Yankees."

Mrs. Chapman. This miserable woman, charged with being the accomplice of the Spaniard Mina in the murder of her husband—(immediately after whose decease she married the adventurer), has been arrested in western Pennsylvania, in the midst of her relatives, and lodged in the jail at Erie, by Mr. Blaney, high constable at Philadelphia, who thus obtains the reward of \$300 offered for her apprehension, by the governor of the state.

Sing Sing. There are in this state prison of New York, 1013 criminals—chiefly employed in quarrying and dressing marble. Only 12 were in the hospital.

Steamboats in the West. It appears from published documents on the subject, that from 1811, when the first western steamboat was launched, to the spring of 1831, there had been employed on those waters 402 steam boats, of which 220 were in use last year, and 182 not in existence. Of these, 66 were worn out, 37 snagged, 16 burnt, 3 run down by other boats, 4 or 5 stove by ice, sand bars, rocks, &c. and 30 destroyed by causes not exactly known. No less than 60 boats, within the writer's knowledge, have been building or contracted for within the present year.

Cavalry. The journal des Haras, published at Copenhagen, says, 15,000 Danish horses were sold in the first eight months of that year to Prussia, France, and Belgium, which produced a sum of two millions of thalers.

Broom Corn. It is said that 50,000 bushels of the seed of this corn were raised in Northampton, Mass. in the present year, and it will sell for 50 cents a bushel, to make whiskey. The manufacture of corn brooms is a large business.

Explosions. The principals and their seconds in a late affair of "honor," who crossed from Kentucky to Indiana in a steam ferry boat, to settle their dispute, in which one of them was slightly wounded, being on their return to Louisville—both boilers of the boat burst, and at least four persons were killed—among them the engi-

neer and one of the firemen. Those who had escaped the explosion of gun powder, also escaped that of steam.

Dimensions of the capitol and its grounds. The ground within the iron railing is 2½ acres; length of foot walk, outside of railing, ½ of a mile and 185 feet.—The building is as follows: length of front 352 feet 4 inches, depth of wings 121 feet 6 inches, east projection and steps 65 feet, west do. do. 83 feet—covering 1½ acre and 1,820 feet. Height of wings to top of balustrade 70 feet, height to top of centre dome 145 feet; representatives' room (greatest length) 95 feet, representatives' room (greatest height) 60 feet, senate chamber (greatest length) 74 feet, senate chamber (greatest height) 42 feet; great central rotunda 96 feet in diameter and 96 feet high.

The north wing was commenced in 1792, finished in 1800, and cost \$480,262 57; the south wing was commenced in 1803, finished in 1808, and cost \$308,808 41; centre building was commenced in 1818, finished in 1827, and cost \$957,647 35.

New Orleans. A considerable excitement prevailed in this city, and a part of the presbytery of the church of St. Louis was partially demolished, because that the rector had refused to inter, with the rites of the Catholic church, the remains of a person who had committed suicide. Such is one of the canons of that church.

Cholera morbus. It appears that twelve of the crew of the U. S. ship John Adams, (lately at Constantinople), have died of diarrhoea, or cholera morbus—but that the health of the ship had been restored.

A powder magazine at Savannah, lately exploded, and five persons, employed in removing some powder, were instantly killed, and three others, near the premises, soon died of the wounds they received. The bodies of all were horribly mangled.

Unnatural marriage. A good deal is said in the Philadelphia papers of a brother and sister, natives of England, who have been recently married—also uttering suspicions that they had made way with the man's late wife—having coupled a short time after her decease.

FOREIGN NEWS.

Arrivals at New York from England and France, bring London advices to the 11th, and Paris to the 12th October.

FRANCE.

In the chamber of deputies, on the 10th October, the bill providing for the abolition of hereditary peerage, passed by a majority of 238. The king had granted permission to all the Belgian officers in the service of France, to return to the service of their country—those who have been three years imprisoned to be promoted a grade higher.

ENGLAND.

The reform bill had been rejected in the house of lords by a majority of 41. This decision has thrown the whole country into a state of fearful excitement.—The debate on the night of its rejection, was carried on with great animation. While the opposition deprecated its passage as an infraction so serious that it was calculated to destroy the constitution, the ministers, and others friendly to its passage, advocated it as a measure called for by present abuses, and intended to preserve the constitution, itself; that it, or some other measure of similar character, must be adopted, or the people would resort to the alternative of revolution. It was supposed that the king would create new peers, by conferring titles on the eldest sons of lords friendly to the bill, and thus secure a majority in the house of lords. Supported, as the ministry are, both by the king and the people, it is supposed that they will remain in power, notwithstanding their defeat. Earl Grey, the premier, had declared to that effect prior to the defeat of the bill.

POLAND AND RUSSIA.

As was to have been anticipated, the army of Poland has been dispersed, and the triumph of her oppressor may be said to be complete. Ruzski retreated from Modlin into Galicia, being unable to keep his army together. The troops at Modlin had surrendered, so that all hope of Polish liberty, for the present, must be deferred. The emperor of Russia had organized a provisional government at Warsaw, and placed field marshal Pukewitch at its head. Upwards of 1,500 of the most distinguished leaders of the Polish revolution had been

arrested and imprisoned at Warsaw—and, to complete the picture of oppression, the Russian troops had fired upon the prisoners confined in one of the wings of the prison, under pretence of revolt among the malefactors, though it was known that three-fourths of those there were imprisoned for political offences. The cholera continued to spread.

PORTUGAL.

Don Miguel still refused to punish the Portuguese sailor who attempted to assassinate the commander of a French man of war, notwithstanding the agent of France had demanded it.

The British fleet had been so arranged as to give them the possession of the ports of Oporto, Lisbon and Figueira, and the English residents had become more at ease than they had been.

The appearance of the British fleet in the Tagus had thrown Don Miguel and his ministers into the utmost consternation, for fear they were intended to co-operate with Don Pedro. The garrison of Madeira had been reinforced. Another insurrectionary movement in one of the regiments, had been suppressed.

BELGIUM AND HOLLAND.

The king of Belgium had instructed his minister at London to obtain a prolongation of the armistice with Holland, Achille Murat, who recently entered into the Belgian army, has been dismissed, in consequence of a requisition to that effect from the French king, who grounded his demand upon the fact of young Murat's being one of the Bonaparte family. Both governments are continuing their preparations to resume hostilities should it be necessary, at the expiration of the armistice.

It was said that the Swedish consul at Antwerp had been directed to do no act which could be construed into an acknowledgment of king Leopold.

ITALY.

This country is in a very feverish condition, and every precaution taken by the police to repress the insurrectionary spirit, which every where manifests itself.

SPAIN.

The government had increased its army from 20 to 30,000 men, and were despatching them to the frontiers of Portugal. They were to be commanded by gen. Morillo. Ferdinand seems to manifest a disposition to take sides with Don Miguel, if he dare do so.

GREECE.

Admiral Miaulis and his associates in the late revolutionary movement against the power of the president, Capo d'Istria, were blockaded, by the admirals of the three powers, in the port of Hydra; where, it is said, the people had arrested them, and that they had sued for pardon of the president.

NEW YORK CONVENTION.

The following communication, forwarded to the chairman of the permanent committee by the member to whom it was addressed, was laid before the executive committee, and ordered to be published.

H. NILES chairman.

Boston, Nov. 11, 1831.

SIR:—I noticed among the statements made to the tariff convention recently held in N. York, that every branch of American industry was protected, with but few exceptions; and among these exceptions the fisheries were mentioned. This would appear to be the case to most persons—but to a practical man, who is connected with the business, and has looked to the continuance of the *inn-act* protection with deep solicitude, (so far as regards the whale fishery), it appears quite the contrary; and from the following statements it will be made manifest, that, if the cotton and woollen factories are not sustained by an adequate protection, a large proportion of the ships engaged in the sperm whale fishery must go out of employment, or be thrown upon the freighting business—thus destroying a vast nursery of seamen, and, at the same time, creating a ruinous competition in a branch of industry already represented, by many who are engaged in it, as not worth pursuing. It is a well established fact, that from one-fourth to one-third of all the sperm oil imported, is used in the factories of cotton and woollen goods—averaging about half a gallon to each cotton and woollen spindle; besides

what is used by the numerous mechanics connected with factories. By the statement herewith handed, you will perceive the vast increase in the importation of sperm oil since 1815; and the continued increase or diminution is entirely dependent on the protection afforded to the manufactures of the country, and the duty now existing on the importation of olive oil. Of the last mentioned oil, considerable quantities are used in the woollen factories, giving employment to a considerable amount of tonnage—which quantity, no doubt, would be much increased if the duty were taken off; but this reduction of duty on olive oil would be very fatal to a considerable portion of the interest engaged in that valuable branch of domestic industry, the sperm whale fishery,—supposing that protection to the woollen manufacture is continued. It, however, that protection be withdrawn, the duty on olive oil may as well be removed as not, as but little will be wanted in the country, (excepting salad oil), and the law will be a dead letter. To give you an idea of the value of the protecting laws to the ship-builders, rope makers, sail makers, coopers, coasting trade, farmers, &c., as well as to the country generally, I herewith furnish you with some of the principal articles which are used by the present fleet of three hundred ships, as often as they are fitted for sea—Viz:

36,000 barrels of flour,
30,000 barrels of beet and pork,
18,000 bolts of duck,
3,000 tons of iron hoops,

6,000,000 staves,

2,000 tons cordage and whale warp,
with large quantities of iron for harpoons, lances, spades, blubber-hooks and camboose grates; much molasses, rice, beans, peas, corn, tea, coffee, sugar, &c. and not less than 6,500 officers and men to man the ships. These ships give more employment to mechanics, of various descriptions,—I should think twice as much, as the same number of tons engaged in any other trade. The sperm oil ships require to be coppered every voyage, and the quantity of copper consumed by the 300 ships will average annually 700,000 pounds, which, with the nails used to put it on, will be equal to three quarters of a million pounds, annually. The quantity of sperm oil imported for 1815 was 3,944 bbls. of 31½ gal. each

1816	7,359
1817	32,650
1818	18,625
1819	21,323
1820	34,708
1821	48,000
1822	42,900
1823	87,230
1824	92,380
1825	62,240
1826	32,840
1827	93,180
1828	73,077
1829	79,840
1830	106,829

and, for 1831, the import of sperm oil will be about one hundred and ten thousand barrels, and the consumption is equal to the supply: ninety-seven thousand barrels have already arrived. The quantity of the common whale oil, annually imported, has been about equal to the import of sperm oil, till this year; when it will exceed that of sperm oil. The whale oil already imported, since Jan. 1, 1831, is one hundred and twelve thousand barrels, and there probably will be a further import of 5 or 6 thousand barrels before the 31st December 1831. The whale oil is chiefly exported to Europe, as well as the whale bone—the latter amounting to over one hundred thousand pounds. This article is taken exclusively from the common or black whale. The sperm oil is consumed within the United States, as no other country excepting Great Britain, makes much use of it—and she, by her protective laws, excludes the sperm oil from this country by a duty of about 45 cts on the gallon. But for such duty we should drive the British from the whale fishery, [generally] notwithstanding the bounty paid by their government for its protection. We should also destroy the French fishery, but for like protection afforded by the French government, in duties and bounties.

The United States is the only government where the people are extensively engaged in the whale fishery, which does not encourage this branch of industry by a bounty.

I have not been able to condense my remarks on this very important subject, within a narrower compass. It is a branch of great magnitude in a national point of view; but, I regret to say, that it is very imperfectly understood. It is a better nursery for seamen than any other; as almost every ship carries out from 5 to 10 green hands—whereas, in the merchant service, the ships carry so few men that they are necessarily obliged to take able bodied seamen, to the exclusion of green hands.

Yours, very respectfully,

C. W. CARTWRIGHT.

The quantity of sperm candles, manufactured from 100,000 bbls. sperm oil, is rising two and a half millions of pounds. This part of the business came near escaping my recollection.

C. W. C.

The editor of the REGISTER takes leave to add a few particulars and remarks.

Great Britain allows a bounty of one pound per ton on every vessel that shall proceed and return from the whale fishery in the Greenland sea or Davis Straits, or the seas adjacent.

Special bounties, some as high as six hundred pounds on a vessel, engaged in the southern, or sperm whale fishery, and bringing home not less than 30 tons of oil, or head matter, have been allowed. The details are too extensive for insertion—but the preceding shows the spirit of the British laws, as to bounties on the whale fisheries.

The protection is in the duties imposed on oil, Train oil, &c. if imported in British vessels, owned in Europe, and navigated according to law, pays a duty of 5s. per tun of 252 galls.—if in vessels owned in certain plantations, from 13s. 4d. to 5l. 10s. 10d.—per tun—but if the product of foreign fishing, 22l. 3s. 4d. per tun. And on sperm oil, there is paid on the first class of British vessels, 1s. 3s. 3d. per tun, and, if of foreign fishing, 34l. 18s. 3d. per tun. So that the British market is completely shut against American competition. There is no doubt, if the trade were free, that no British ship would be employed in the whale fishery. The industry and perseverance, economy and skill of our fishermen, is without rivalry.

Another gentleman computes the annual product of our whale fishery at 3,500,000 dollars, and the value of the ships at \$7,500,000.

The importance of this employment, as a nursery for seamen, may be partially conjectured from the fact—(communicated soon after the event by a distinguished officer of the navy), that among the crew of the Constitution frigate, when she captured the *Cyane* and *Levant*, were more than two hundred free holders. They had been fishermen; and the matter stated shews the character of this people.

The communication of Mr. Cartwright passed to the permanent committee through the hands of a woollen manufacturer. He says that he uses 4000 gallons of olive oil annually, and that, if the duty on that article be a tax, he would save \$1000 a year by taking it off. But he regards such duty as indispensable to the success of the whale fishery, and will not agree to abandon it.

But, if the writer of these additional remarks is not misinformed by those who ought to know all the facts, (and he hopes to shew them by references to prices current, at a future period), the price of olive oil has always advanced or declined with the price of sperm oil; the competition of the latter having the usual tendency of increased supply, to keep down the cost of the former.

SPEECHES IN THE N. Y. CONVENTION.

There was not much speaking in this body. The members were far more disposed to do than to talk—though there was an abundance of talent present to have done the latter, and well. We have inserted the plain and practical illustrations of Mr. Ellsworth, of New York, and Mr. Brown, of Massachusetts, as to frauds on the revenue, &c. and it will not be an easy thing to set any of their statements aside. We shall now present a sketch of the speech of Mr. P. A. Brown, of

Pennsylvania, which is a clear and distinct account of the early views of the American people, and of their representatives, as to the right and necessity of protecting the domestic industry—no doubt of the power having been entertained. We shall yet add sketches of a few other speeches to show the spirit that prevailed in this great assembly, and pre-act, perhaps, some new facts to inquirers after truth.

Thursday, October 27.

Mr. Brown, of Pennsylvania, submitted a resolution to the effect that the committee appointed to prepare an address to the people should be instructed to present a clear and comprehensive view of the tariff, or American System; showing that it is not only constitutional, but a part of the plan of our government; that it has been at all times studiously cherished, and that it was the principal cause of the abrogation of the act of confederation, and of the adoption of the present constitution.

In supporting this resolution, Mr. Brown called the attention of the convention to three propositions laid down by the convention lately assembled in Philadelphia, in their address to the people of the union, viz: First, the government of this country is a government of opinion—secondly, that the constitutionality of an act of congress does not depend on any decision of the judiciary; and thirdly, that the people have a right to resist any act of congress which they may consider unconstitutional. He thought that every member of the convention would at once pronounce such doctrines wholly unfounded, and it generally received, of dangerous tendency. The first of these propositions was in direct contradiction to the opinion of the best writers and speakers with whom he was acquainted, all of whom concurred in declaring that ours was a government not of opinions, but of laws. The second proposition was equally unsound—and as to the last, which asserted the right of the people, under this government of opinion, not only to decide on the constitutionality of an act of congress, but also to resist it if deemed unconstitutional, he presumed its object would readily be seen by every member of this body. It would have been going too far for the Philadelphia convention to recommend, in terms, the resistance of any law that might be deemed merely impolitic. It was necessary first to pronounce it unconstitutional, before they could countenance resistance to its authority, and a consequent separation of the states. This assertion of the unconstitutionality of the existing revenue laws, must be met, and that not by mere counter assertion, but by shewing that those laws were in strict accordance with the constitution. This could readily be done; and it was his wish that it might be done by the committee in plain and simple terms, such as might readily be understood by every citizen of the union, without the necessity of a legal education to comprehend it. It was necessary that this important truth should be put in a plain, distinct, and conspicuous view before the people.

The reasons he had to offer in support of his views of the subject, would consist chiefly, Mr. Brown said, in hints and references to documents which he had sought for with a view to lay them before this convention; and he thought they would show conclusively that the doctrine of the constitutionality of our tariff laws was well founded.

He would in the first place refer to the remarkable language employed by the body in Philadelphia—who declares that a numerous and respectable party in the union question the right to establish a system of protecting duties, and deny the constitutional power of congress to enact it. They did not assert that the tariff of 1828, or that of 1824, or that of 1816, was unconstitutional; but they put forth a round assertion that the entire system of our tariff laws, in other words that what is usually designated as the American System, is so. In ordinary cases the absurdity of such a position would of itself be a sufficient refutation—for he begged gentlemen to consider, that as it was not pretended that a power to regulate trade existed in the legislature of the states, nor contended for, that the people possessed that power individually and personally—when the ground was taken that congress did not possess power to enact such a system, as that called the protecting or American System it was tantamount to a declaration that the United States must remain without

any tariff system: it was advancing the anomaly of a government without power to collect a revenue, or to protect the property, trade and manufactures of its people. This surely was too absurd to need refutation under any ordinary circumstances: but the occasion now called for it.

Mr. B. begged the indulgence of the convention while he should occupy a few moments in considering the arguments brought to support such extravagant and absurd propositions as those he had quoted.

The assertion that a law is unconstitutional, was the easiest of all things to be made: but, fortunately, if not true, it was the easiest of all things to refute: because these states enjoyed the blessing of a written constitution: we were not situated as some of the states in the old world were, who though they boasted of a free constitution, had to seek it as laid down in a number of different elementary books. Ours was in a single instrument: The doctrine was the easiest to refute, because, happily, the country had a tribunal independent of the power which enacted the laws, whose especial, and, (as he hoped in the end to shew), whose exclusive duty it was to decide the question, whether any act of congress was constitutional or otherwise. Under such circumstances, enjoying a written constitution, and a tribunal clothed with competent authority to decide whether the laws were in contravention of it or not, it seemed strange that for the last forty-two years, there should have been tariff laws enacted, and certain portions of the country said to be suffering under them, and yet none of the sufferers, though able and intelligent, should once have thought of bringing the question of their constitutionality before the proper tribunal established for the very purpose of passing upon it. Why was this? Why must it have been? The answer was easy. It was perfectly well known to those individuals, that the tribunal in question would at once and without hesitation, have pronounced those laws to be in conformity with the constitution.

But the very learned gentleman whom he had quoted endeavored to escape from so obvious a difficulty, and by a mode that was very ingenious. They held that the constitutional validity or invalidity of a law did not depend on the question whether the judiciary affirmed it or not, because a law might, in its effects, be subversive of the constitution, and yet, on its face, in apparent conformity with it, and superior to all legal exceptions. Now, Mr. B. said, he referred to the understandings of all whom he addressed to say whether any thing could be more unsound than the doctrine of this evasion. A law, surely must be either constitutional or unconstitutional. It could not be both constitutional and unconstitutional at one time. If unconstitutional, it was null and void, and had no effect on any department of government, nor on any individual in the community—it was not constitutional for any purpose whatever. If null at all, it was null for all purposes whatever. What did they tell us? that a law might be constitutional in its form, and yet unconstitutional in its effects, and of this the people were to judge; and if they deemed its effects unconstitutional, they might resist the law, because this is a government of opinion. But such a doctrine contravened that sound and important one that the judiciary was provided as a check upon the legislative power. If their doctrine should prevail, the judiciary might as well be extinct. Fortunately, however, for the people of the union, if opinion was to settle this matter, the question had already come before the supreme court, consisting of no less men than Marshall, Cushman, Patterson, Chase, Washington and Moore. The opinion of these men might be found in 1 Cranch, p. 176, and it was so directly in point, and went so fully to put the question at rest that he begged leave to read a part of it to the convention. [Here Mr. B. quoted the opinion at some length.]

This doctrine, which these judges pronounced too extravagant to be seriously asserted, was nevertheless not too extravagant for the convention which met at Philadelphia grately to put forth in an address to the people of the United States.

Mr. B. here again quoted the address, in which it was affirmed that congress might with a view to support a system increase the duties even to a prohibition; and

yet their act be conformed in terms to the letter of the constitution, and the courts would consequently affirm the law; but the constitutional obligation bound all parts of the government alike, and a violation of it was no less a violation, because the forms of the constitution were preserved. The doctrine was manifestly unsound.—According to this the question whether a law was constitutional or not, depended on the motives of members of congress in passing it. Could this possibly be the true criterion? How could the motives of congress be collected? If the judiciary did not possess the exclusive power of deciding, they would, of course, maintain that it had no concurrent power, and then it would become a question what were the motives of congress in passing a particular act; and how were these motives to be gotten at? Would gentlemen call on the members individually and put them on their oaths? Would they call witnesses to testify what speeches they heard in congress or what declarations by members out of doors? This would be a violation of the privileges of membership it attempted before any tribunal but that of the people in their elective capacity. The motives, too, of different members might be very various: so might those of the two houses of congress. Were they to take the motives of the whole, or only of a part? or those of a majority? He need urge this no further. The proposition was manifestly as unsound as the other: there was no stability in such assertions. They must, therefore, return to the only sound rule of judgment.—the decision of the judiciary. They were appointed the sole judges whether a law was or was not in conformity with the constitution. That a law might be constitutional in court and unconstitutional out of court, was a notion he had never seen or heard of in any decision or any dictum of any court whatever: and did he not cherish great personal respect for many of the gentlemen who composed the body who had published it to the world, he should say that such a conception could not enter the head of any sane man. The reasoning, (if reasoning it might be called), by which they sought to maintain their doctrine was no less absurd than the propositions they had laid down. Having quoted the opinion of Mr. Rawle, Mr. B. said that there he might pause; for if those gentlemen declared the tariff laws to be unconstitutional, it was for them to prove their assertion, and the laboring oar might fairly be thrown upon them. But this was not a time in which to shrink from the task of advancing further, and proceeding to shew, positively, that those laws are not only not unconstitutional, but that the protecting system formed a part of the plan of our forefathers in adopting the constitution, and that the want of it formed the prominent objection against the old confederation, and was the operative reason why that instrument was abrogated and the federal constitution brought into existence: this he should endeavor now to show, and further, that the legislative construction of the constitution had been uniform for nearly half a century, and that the people had concurred in it.

On the first point, he should chiefly refer to documents.—The first congress met on the 5th September, 1774. On the 6th, a committee was appointed to examine and report on the existing statutes, (the British statutes namely, what were then in form), affecting the trade and manufactures of the colonies. This was the first act of the first congress—to enquire what laws affected the *manufactures*, as well as the trade of the colonies. On the 19th of September, it was unanimously resolved that the merchants be requested not to send any further orders, and to suspend those already sent, for goods from the mother country. On the 27th of September, congress unanimously resolved that after the 1st of December following, no more goods should be imported, nor used if they were; and on the 30th, it was further resolved, that after the 1st of September, 1775, the exportation of goods from the colonies to Great Britain and the West Indies, should cease, unless the grievances of the country should before then have been redressed. On the 6th of October following, a resolution was adopted excluding molasses, wines and indigo; and on the 30th of the same month, the celebrated non-importation law was adopted and signed, and here he begged leave to remind the convention that the declared objects of that association were to suppress luxury, to pro-

mote frugality, and to encourage American manufactures. Here, then, was the very first congress held in the country looking to the protection of our own manufactures as one of its avowed objects; and they began the system on the day after they first assembled.

A second committee was appointed in May, 1775; and on the 31st July they were ordered to enquire respecting the manufacture of salt, and the search for lead ore—declaring also that the non-importation system should extend to the islands of Jersey, Alderney, Man, and other dependencies of Great Britain then enumerated. The congress, therefore, at its second session, so far from departing from the principles it had first assumed, carried them farther than before. On the 23d November, 1775, a committee was appointed to report a plan to regulate our trade with the Indians. They reported, and on the 27th January, 1776, the plan was adopted. On the 21st March, congress recommended to the provisional assemblies to promote the cultivation of hemp, flax and cotton and the growth of wool. Societies were recommended for the promotion of agriculture, arts and manufactures, and forthwith to introduce the manufactures of duck, sail-cloth and steel. On the 7th of June, 1776, the first resolution was offered on the subject of independence, and on the 12th, a committee was appointed to draft a Declaration of the Independence of these United States.

Mr. Brown said he had thus redeemed the pledge he had given, by shewing affirmatively that so far from the protecting system's being a new thing, it had formed a part of the original plan of those exalted men to whom the country was so deeply indebted for its happiness, and particularly for its emancipation from those rules which had been adopted with the express purpose of preventing us from manufacturing for ourselves, and thus advancing to that degree of national prosperity for which our national advantages so eminently fitted us.

By the Declaration of Independence the thirteen colonies were separated from the mother country, and the right to regulate trade and manufactures was thrown on the legislatures of the respective states; a right inherent in all governments.

But the framers of the constitution clearly perceived that it was impossible that power could be exercised by the legislatures of the states; the attempt to exercise it could lead only to conflict and anarchy. They were not so short sighted as to be unaware of the dangers which threatened the country from this source. They had on the 11th of June, 1776, resolved that a committee be appointed to draw up articles of a confederacy, and on the day following one member from each colony was appointed, and the committee thus constituted prepared and reported the act of confederation. The subject was warmly debated until the 15th of July, 1777—when a circular letter was addressed to the respective state legislatures, urging the ratification of the plan. Here Mr. B. referred particularly to two sections of that act, the 6th and the 9th, the former of which prohibits the states from laying any duties which should interfere with treaties entered into by the colonies; and the latter confers on congress the exclusive power of declaring war and making peace, provided that no treaty should be entered into going to restrain the legislation of the states in taxing foreigners as much as our own citizens, or prohibiting the exportation of our produce: it preserves to the legislatures of the states the power to regulate trade and manufactures—and this was the clause which led to the abrogation of the confederation itself—New Jersey made remonstrance against such a doctrine, and declared that the whole power of regulating trade and manufactures ought to reside in congress alone.

In the meantime, the patriots of the revolution were strenuously urging a union of the states. The confederation, though it did good service, had its faults. It was generally acknowledged that the 9th article was exceptionable—but the article was, we want union—the confederation has its faults, and this argument had its effect. It was no argument at this day to say that the old confederation gave the power to the states—because the delegates from the states were called to express the opinions of their constituents and by their authority the new constitution was adopted, the last state (Maryland), ratifying it on the 30th June, 1781. To show

what were the true grounds of its ratification, Mr. B. referred to the language of Mr. Jay in the *Federalist*, which he quoted at considerable length.

He then proceeded to observe, that on the 26th of April, 1783, Mr. Madison, Mr. Ellsworth and Mr. Hamilton were appointed a committee to address the people of the United States in behalf of the new constitution, and in the same month Mr. Gerry and others reported a recommendation to the several states to invest congress with the power of restricting commerce except in American vessels. On the 21st of January, 1786, a proposition was received from the Virginia house of delegates, and on the 11th September, 1786, a convention was held at Annapolis, to form the new constitution. They adjourned and met a second time, and they then drew up that instrument under which we live, and which so expressly gives to congress those powers by the exercise of which, the tariff system has been built up. On the 4th March, 1789, congress adopted it, and it went into operation on the 4th of July, 1789. At the very first congress which assembled under it, this preamble was prefixed to the act regulating commerce. Here Mr. B. read the preamble: but his speech was suspended for the report of a committee, after which he resumed, and observed that he had gone through the brief history he had given with the purpose of shewing that the men who had commenced and gone through with the revolution, themselves the very men who formed the first confederation, and who were present when the objections to it were all fully discussed, were many of them members of congress in 1789, when the preamble was adopted which he had read, and which expressly declares one object of passing the act to be the protection of manufactures. They had come then fresh from the making of the constitution—the oath they had taken to support it was yet warm upon their lips, and was still resounding in the ears of the people when they passed it—and he would ask if these facts were laid in a plain and distinct manner before the people of these states, whether any man in the country would believe that these men perjured themselves? To incorporate this statement of facts in the address to be presented by this convention would go to show the people not merely that they have the right to pass laws for the protection of their industry, but that this was a part, and an important part of the original plan of those who framed the constitution—and they would have been traitors to their country and their oaths had they refused to enact a tariff for such a purpose,—and as it was in 1789, so it was in 1828.

Mr. B. concluded by reminding the convention that from that early day to the present time, there had not been one president of the United States who had not, in one way or another, recommended the adoption of the tariff system—that twenty-one successive congresses had recognized the same system—that there never had been a public meeting in any one state or district, which had ever before called in question the right of congress to pass a tariff law; and that the same members of congress who had voted in favor of the system, had been returned by the people to pass new tariff laws, as they might become needful. Let these things be clearly placed before them, and the people of these states would see that the system was constitutional, and would themselves admit that the government was not a government of opinions, but of laws, and that the laws might not be resisted by any one who might choose to pronounce them contrary to the constitution.

Mr. Sharp, of N. York, hoped that the resolutions would not be adopted. A committee had been appointed consisting of one member from each state here represented, and charged with the duty of addressing the people of the United States on the subjects which had convened this body: the appointment of its members had not been hastily made, but after due deliberation, above fifteen of the first men in the country had been selected for the duty required. And now before they had even met, a member rose in his place and proposed to instruct them how it was to be performed. What if each member should do the same? For all had equal right. What would follow but the greatest embarrassment—and probably no report would be gotten at all. He wished first to hear the report the committee might

prepare; and then if any thing was omitted, the gentleman could move to have it inserted. The committee had had the benefit of his remarks, and he hoped the gentleman would withdraw the resolutions, if not, he should move to lay them upon the table.

The question being taken on laying the resolutions on the table, it was negatived by a very great majority.

MR. MIDDLETON'S LETTER.

Philadelphia, Oct. 15th, 1831.

DEAR SIR: I had the pleasure of receiving your letter of the 14th ultimo, at this place, just at the opening of the Free Trade convention, and I immediately registered myself as delegate from St. George's parish, Colleton district, South Carolina.

I beg leave in the first place to tender my grateful acknowledgments to my fellow citizens of the district, for their kind recollection of me after so long an absence; and I assure them that I heartily reciprocate the kind greetings expressed in your letter; for the rest, I do most sincerely sympathize with them in deprecating the spread of the baneful doctrine of nullification, to which you allude, and which has made so alarming a progress in some parts of the state. I trust, however, that the good sense of the sound majority of our people will be shortly evinced and manifested by public meetings and anti-nullification resolutions throughout our state, the only one in the union infected with this political heresy.

I am sorry to say that I do think I perceive, upon my return home, after an absence of several years, that much has been done, as you state with a *design to prepare the minds of our people for a revolution*. However difficult the task might appear to be, of weaning the affections of a free and happy people from a government of their own choice, administered by their own agents, removable at stated periods—a government, too, which has done so much for the national glory and prosperity—still I think I see that considerable progress has been made in attaining the desired end by means of the undue perseverance on the part of congress in a system of taxation which, having for its object the protection of manufacturing industry, (an object highly laudable in itself), seems to bear hard upon agriculture and navigation, and which has, by manifold and repeated exaggeration, been made to put on the appearance of a *deliberate and wilful violation of the constitution*.

Were this the case, I trust that no man would be found more ready than myself to oppose an open and determined resistance. *Oppression apart*, I am ever disposed to resist any exercise of *unauthorized power*. Where there is oppression, I should scarce stop to inquire by what quirk of law it might be authorized. I utterly deny the right of any man or of any majority to oppress, even under color of law.

But such is not in reality the case, under the tariff law. The law of 1828 is, indeed, by its excessively high import duties, *impolitic and inexpedient*, in the highest degree, and in some measure *insufficient*, as encouraging smuggling as well as *manufacturing*. We may feel satisfied that, experience having shown that it is nearly as useless as unpopular, it must shortly be abandoned, or in a great degree modified.

If it be thought, however, that a bare repeal of all tariff laws would restore our agricultural products to their pristine value, it is a great error. In order to produce that desirable effect, (which indeed I conceive to be the great object which the plantation states have at present in view), other means besides must be brought into operation.

To accomplish this purpose, the amount of consumption must be increased, or that of production diminished, in all cases. These two objects are frequently unattainable by direct legal interposition. Recourse must then be had to subsidiary means.

To give an example of this—as one means of supporting the price of cotton and rice, the impost upon sugar must be maintained. If that were taken off, the sugar plantations of Louisiana could no longer compete in the production of that article, with the more favored climate of the West India islands. The 45,000 laborers occupied in that culture, would be then probably turned to raising cotton and rice, whereby additional quantities o

those articles would be thrown upon a market already glutted, and in such case the prices would inevitably be reduced.

The same example will serve to shew the necessity there is for congress to keep in view other objects beside the bare amount of revenue in the impositions of duties upon imports. The power of protecting home fabrics and productions, (incidental as it is), was under our present government exerted at a very early period of its existence, and has been attended as it may well be supposed by the most beneficial effects.

The first revenue law passed by the first congress, under the existing constitution, was approved by president Washington, on the 4th July, 1789. It is declared, in its preamble, to be intended "for the support of government, to pay the public debt, and for the encouragement of manufactures." By this law duties were laid on imported sugars, teas, coffee, cocoa, candles, soap, cheese, cordage, indigo, coal, pickled and dried fish, manufactured leather, manufactured tobaccos, on hats of beaver or wool, on China, on coarse and earthen ware, on military and ready made clothes, on cabinet wares, riding carriages, and on many other articles, now abundantly manufactured in the United States, cheaper and better than they can be obtained from abroad. It must be evident to every careful observer that by means of the wise policy then adopted, we have risen from the state of colonial dependence, in which lord Chatham declared, "that we ought not to be permitted to manufacture a hob-nail," to the condition of real independence in that respect, which we now enjoy, and which is a source of countless riches to the nation. It must not be forgotten, that this act was passed by a congress, in which sat many of the framers of the constitution, and that the opposition never thought of objecting to it, on the grounds of its unconstitutionality.

The high duties imposed by the act of 1816, to which I lent my humble support in common with several distinguished members from our state, were graduated with a view principally to the protection of certain manufacturing establishments which had arisen without the bounds of our state, under shelter of double duties laid solely with a view to revenue, wanted to carry on the war of 1812. This generous and just feeling did honor to the south, which had no immediate interest in the question, and no accusation of unconstitutionality was ever brought against the act.

The course of time can have effected no change in the powers vested in congress by the constitution of the United States; neither has any amendment thereto been proposed or adopted in reference to this power. All the sound opinions entertained at that time upon this point, must therefore remain the same, however individuals may have changed their views.

It can therefore only be on account of the abuse of a legitimate power on the part of congress, that the present tariff can be justly termed unconstitutional. That it is clothed in the due legal forms, no one can deny.

To say that it is fraught with oppression, is a mere exaggeration, which cannot avail to justify resistance.—Peaceable and reasonable remonstrance is our safe and sure resort against a simple grievance.

Such, as it appears to me, should be the feelings and reasonings of all those who bear a sincere attachment to our entire system of government, in the divided way the people have ordained between our national and state governments. Whoever shall endeavor to mislead our state authorities, and induce them to infringe the rights of congress by legislating on matters not within their competency, must be deemed the enemy of the happy institutions under which we live.

God grant that we may, one and all, be induced with wisdom sufficient to know how to place a just value on the good we possess; and may we be ever careful so to use the high privilege of self-government, as to avoid civil discord, which might, in its results, be the means of substituting governments of force for those of law and reason!

It is the misfortune of our peaceful and happy era, to have produced, in its hot-beds of ease and luxury, a fungus growth of state doctors, ever ready to drug the most robust with their nostrums. Unquestionably did the framers of our organic laws devise, for this widely extend-

ed empire, the wisest plan of government which mankind has ever seen reduced to practice; and one too, which, in practice, has far exceeded the most sanguine expectations which could have been formed of its success at the time of its adoption. Yet we daily witness the empyrics, above spoken of, gravely putting on their glass eyes, (like Shakespeare's servy politician), and pretending to discover defects for which they propose to administer the most preposterous remedies.

The nullifying theory is not only incompatible with our existing institutions, but it may be doubted whether the professors of the new light, or the would-be fathers of new confederacies, if they were indulged in their projects, and still adhered to nullification; (*a political jack o' the lantern*, leading the steps of its bewildered followers "o'er bog and quagmire," until "where'er they tread they sink!") It may be doubted, did I say?—any more, it may be boldly denied, that they could, with this principle, form a durable confederacy of three or more states, however contiguous in territory, or identical in interests such states might be—two conditions which they appear to require for the formation of a perfect confederacy.

It must always be borne in mind that men will differ in opinion, howsoever identical their interests, or proximate their habits. Passion and prejudice, of one kind or another, frequently sever the nearest neighbors and associates, however great the benefits they might otherwise derive from concord. If they were not to be bound by the decision of the majority, (where there is no common tribunal), there is no appeal but to the sword.

The principle of obedience to the will of the majority, wisely adopted in a republican government, is grounded upon the high probability that such will is enlightened and just; and upon the certainty that it is backed by the physical force of the community. For the reason last mentioned, it may be laid down as a general rule that an appeal to the sword is, in such case, more hopeless than under a despotism or aristocracy where the one, or the few, have imposed their law upon the many.

The new fangled doctrine of nullification in matters of general concern,* by a small portion of those who are associated under the engagement, tacit or express, to abide by the decisions of a majority in such matters, is a solacium in politics, in its nature suicidal, and must infallibly produce self-destruction in any body-politic which admits it as an elementary principle.

We can only wonder at those who honestly entertain the opinion, that such doctrine is compatible with our existing institutions. Let us pay their delusions. But let us call down the maledictions of heaven on such as willingly would practise a deceit on others, to promote their favorite project of disunion.

I shall not detail to you the proceedings of the convention, which you may see in the gazette. One great object was accomplished in avoiding debate upon questions on which there might be a diversity of opinion; and an undivided attention was given to the all-absorbing interest of opposition to the tariff, which was sustained throughout, in a manner which it may be hoped will lead to final success.

The address to the American people (of which a copy is inclosed) was voted by a large majority. I wished myself to have omitted a portion of it, but having found myself in a minority, I am, upon the whole, better satisfied that the address should go before the public in its original form, as containing the expressions of a large portion of the inhabitants of these United States, as well as of a part of the convention. The effect on public opinion will, I think, be salutary.

*Let it not be urged that a sister state has successfully nullified treaties, (abusively so called!), and acts emanating from the general government. Georgia is about to abate a nuisance growing up within her own territory, and effecting the interest of no other state. This is strictly a domestic question, and those acts are perfectly justifiable on principles of the law of nature and nations.—There is a wide difference between this case and that of the abrogation of a general revenue law having universal application in all the states.

A memorial to congress is to be drawn up and presented to that body by a committee, of which Mr. Galatin is chairman. That it will contain all that can be urged in favor of a revision of the tariff, I have the strongest persuasion. It most assuredly will obtain the favorable consideration of congress.

A certain benefit I regard as having already resulted from this meeting, is the strong conviction impressed on the minds of those who assisted at it, that an extravagant system of protection to manufactures, injurious to the more important interests of agriculture and navigation, will always find adversaries in every part of our union; while gentlemen who came with the hope (if any such there were) of others sympathizing in the doctrines of nullification, or mayhap with the expectation of winning over the assent of some portion of the south to plans of secession, must have been sorely disappointed at finding her sons generally too patriotic, and too proud of a union of which they have ever formed so conspicuous a portion, to listen for a moment to propositions tending to its dissolution upon frivolous or factious pretences.

Having been honored by nominations as a delegate to the anti-tariff convention at several meetings of the friends of union in different parts of our state, I ask to be permitted, through your interposition, as my immediate neighbors and fellow parishioners, to tender them my best acknowledgments, and to beg the favor of having this missive considered as addressed to all the friends of union.

I am, dear sir, very faithfully, your obedient friend and servant,
HENRY MIDDLETON.

JOSEPH KNOX, jr. esq. chairman of the democratic republican meeting held at the house of Mr. Geo. Sistrunk, St. George's Parish, Colleton district, 24th September, 1831.

AN EXTRAORDINARY CASE.

Crim. con.—The annals of this species of crime do not present a cause more singular than is presented in the case noticed below. The offence—the admission—the circumstances attending it—the agreement of the offender to leave the county—his murder by the party injured—and the decision of the jury, are altogether extraordinary and surprising.

From the Frankfort, Ky. Commentator.

The recent death of Ebenezer N. Robertson, esq. a former member of the assembly from Russell county, at the hand of Dr. Pierce, the last and present member, has been mentioned in the papers, with some allusion to the enormities which produced a catastrophe so appalling. The chief incident in this tragedy, was awfully sudden and striking: the county court was sitting in the village where the parties resided. Some business called Pierce into court. The first object which fixed his eye, was Robertson—who by agreement had left the county, never to return—now there, writing at the clerk's table. Pierce gazed upon him, for a moment, in mute astonishment; then suddenly turned, and retiring by the door, re-appeared presently at the window, beneath which Robertson sat, in the presence of the court. Resching in, with a pistol, near to the head of his victim, Pierce fired, and lodged the contents in his brain—a fatal shot! What could have moved a gentleman, till then ever mild, patient and conciliatory in his deportment, to a deed of such singular daring?—Robertson had violated the marriage bed of Pierce, his friend—struck at his honor—ruined his family—planted daggers in his bosom!—And, with humility be it spoken, there was no law in the land for the adequate punishment of such an outrage! The fact was notorious; not denied even by the offender himself. 'Satisfaction,' in the way called 'honorable,' had been demanded; but not rendered. The wrong was irreparable; no adequate amends could be made. The destroyer of his neighbors' peace—whose unprincipled indiscretion has cast a deep shade over virtues which might otherwise have brightly shone, as some concession, had agreed to go forth from that part of the country, to return no more. Yet he did return; he was there—the consequences have been seen—Dr. Pierce was required, by the judgment of two magistrates, to give bail for his appearance at the next circuit court in that county, to answer what might then be presented against him in relation to this matter. That court

was in session last week; and Pierce was in attendance. One indictment against him for murder, and another for manslaughter, were laid before the grand jury. Having made such investigation, as they, under their oaths, deemed proper, they returned both indictments into court with their finding endorsed upon each—'not a true bill,'—'not a true bill,' and whatever opinion, made up upon views merely technical, might be; upon the sheer justice of the case, and upon the diligent enquiry of the grand inquest of his county, the accused stands justified—acquitted. He appeared in the assembly yesterday, and was qualified as the representative of his county; and notwithstanding all that has happened, may yet be, as he has heretofore been, a faithful representative, and a useful member.

COLONIZATION OF THE BLACKS.

The following letter from Mr. JEFFERSON to Mr. Lynd, has been several times published—but there seems a peculiar fitness in again presenting it to consideration.

Monticello, Jan. 21, 1811.

"SIR:—You have asked my opinion on the proposition of Anne Milfin, to take measures for procuring, on the coast of Africa, an establishment to which the people of color of these states might, from time to time, be colonized, under the auspices of different governments. Having long ago made up my mind on this subject, I have no hesitation in saying, that I have ever thought that the most desirable measure which could be adopted for gradually drawing off this part of our population. Most advantageous for themselves as well as for us; going from a country possessing all the useful arts, they might be the means of transplanting them among the inhabitants of Africa; and would thus carry back to the country of their origin the seeds of civilization, which might render their journey here a blessing in the end, to that country.

"I received, in the first year of my entering into the administration of the general government, a letter from the governor of Virginia, consulting me, at the request of the legislature of the state, on the means of procuring some such asylum to which these people might be occasionally sent. I proposed to him the establishment of Sierra Leone, in which a private company in England had already colonized a number of negroes, and particularly the fugitives from these states during the revolutionary war; and at the same time suggested, if that could not be obtained, some of the Portuguese possessions in South America as most desirable.

"The subsequent legislature approving these ideas, I wrote the ensuing year (1802) to Mr. King, our minister in London, to endeavor to negotiate with the Sierra Leone company, and induce them to receive such of these people as might be colonized thither. He opened a correspondence with Mr. W— and Mr. Thornton, secretary of the company, on the subject; and in 1803 I received, through Mr. King, the result, &c.

"The effort which I made with Portugal to obtain an establishment from them, within their colonies in South America, proved also abortive.

"You inquired further, whether I would use my endeavors to procure such an establishment secure against violence, from other powers, and particularly the French. Certainly, I shall be willing to do any thing that I can to give it effect and safety.

"But I am but a private individual, and could only use endeavors with individuals. Whereas the national government can address themselves at once to those of Europe to obtain the desired security, and will unquestionably be ready to exert its influence over those nations to effect an object so benevolent in itself, and so important to a great portion of its constituents. Indeed nothing is more to be wished than that the United States would themselves undertake to make such an establishment on the coast of Africa.

"Exclusive of motives of humanity, the commercial advantages to be derived from it might defray all its expenses: but for this the national mind is not prepared. It may perhaps be doubted whether many of these people would voluntarily consent to such an exchange of situation, and but few of those who are advanced to a certain age in habits of slavery would be capable of governing themselves. This should not, however, discourage

the experiment, nor the early trial of it. And propositions should be made with all the prudent caution and attention requisite to reconcile it to the interest, the safety, and prejudice of all parties."

THE FAYETTEVILLE SUFFERERS.

The address of the town committee of Fayetteville, to the contributors to their relief is so appropriate, and even affecting, that it should be preserved.

CIRCULAR.

Addressed to the contributors to the fund for the relief of the Fayetteville sufferers, by the committee appointed for the purpose.

To ———

Fayetteville, Nov. 14, 1831.

The undersigned have been deputed by their fellow citizens to lay before you the annexed statements of the amount of the fund for the relief of the sufferers by the desolating calamity of the 29th of May last, and of the manner in which it has been disposed of. They submit them, with the hope, that the proceedings of those to whom the distribution was entrusted, will meet with the same approbation from the donors, so cordially awarded to them by the recipients.

Another duty with which they are charged cannot be so easily and so satisfactorily performed. The feelings with which they have witnessed the spontaneous outpourings of the benevolence of their fellow citizens, from one end of this vast republic to the other, cannot be uttered. The accumulation of such a fund as that exhibited by the subjoined statement, unsolicited by us, and coming, in great part, from those upon whom the citizens of our town had no claims but those of suffering humanity and a common national origin, presents a spectacle honorable to the character of a great people, doubly grateful to the feelings of the recipients, and calculated to impress us more deeply with a sense of the blessings of the happy union under which we live.

As many of the contributors to this fund may never have an opportunity of witnessing the effects of their bounty, we cannot better express our thanks, and those of the people whom we represent, than by faintly sketching some of its blessings. The calamity with which we were visited was of an appalling extent. It swept from existence the fairest, the richest, and by far the larger portion of our flourishing town. It left poverty and despair where opulence and content had long reigned. None altogether escaped its ravages; and few were left with ability to relieve even the pressing wants of the suffering destitute. Under these circumstances were the liberal hands of our countrymen opened; and the heart of the widow and the orphan was made glad. Instead of the ruin which seemed to impend over so many, and to paralyze their hopes, confidence and energy succeeded; and each one has been enabled again to enter into the competition with his neighbors for the emoluments of his wonted vocation. Extraordinary progress has been made in rebuilding our town; and every thing wears the appearance of activity, and a determination to rise with new vigor from our ashes. To you, and to those who united with you in this labor of love, is this happy state of things mainly owing; and to you, and to them, we render the homage of grateful hearts.

Be pleased to convey to the community with which you are connected, our sense of the blessings they have, in part, conferred upon us. And that they may be spared from all similar visitations, is the earnest hope of your obedient servants,

JOHN HUSKE,
LOUIS D. HENRY,
JOHN D. ECCLES,
JOHN W. WRIGHT,
DUNCAN MAC RAE,
EDWARD J. HALE,
THOMAS L. HYBART,

committee.

The whole amount received from all parts of the union, was \$91,992 38: from the following states and territories—

Massachusetts.....	\$14,518 69
Maine.....	125 00
Rhode Island.....	2,067 64
New Hampshire.....	290 00
Connecticut.....	3,002 40

New York.....	10,648 54
Pennsylvania.....	12,731 00
New Jersey.....	805 49
Maryland.....	6,820 79
District of Columbia.....	870 00
Virginia.....	8,040 88
North Carolina.....	11,406 34
South Carolina.....	9,100 37
Georgia.....	4,102 72
Tennessee.....	45 00
Ohio.....	1,158 02
Mississippi.....	1,119 40
Louisiana.....	5,050 00

The largest contributions from cities and towns, (in money) were the following:

Philadelphia.....	11,857 42
New York.....	10,293 54
Boston.....	9,708 25
Baltimore.....	5,862 79
Charleston, S. C.....	4,552 37
Charleston Neck.....	759 50
New Orleans.....	5,050 00
Newark, N. J.....	2,300 00
Savannah, Geo.....	2,264 60
Richmond.....	1,931 50
Petersburg.....	1,702 00
Citizens of New Haven, Con. and officers and students of Yale college..	1,573 31
Columbia, S. C.....	1,540 00
Raleigh.....	1,500 00
Hartford, Con. and towns in its vicinity	1,424 09
Wilmington ..	1,294 20
Newbern.....	1,226 53
Lowell, Mass.....	1,200 00
Augusta, Geo.....	1,200 00
Salem, Mass.....	1,032 37
Cincinnati.....	1,007 22
Natchez, Miss.....	949 50
Washington city.....	810 00

CLAIMS AGAINST NAPLES.

The Washington correspondent of the N. York Journal of Commerce, gives the following list and statement of claims of citizens of the United States against Naples, for spoliation, during the wars of the French revolution, as filed in the department of state.

Boston Marine Insurance company	\$5,000 00
Do. do. do.	15,000 00
Bradbury, Charles et al.	17,400 00
Do. in several cases	32,023 00
Barker, George administrator	402 00
Barton, John et al.	14,091 34
Brazer, John	15,000 00
Covin, N. A. & J. T.	15,000 00
Conk, James	4,394 98
Coulter, John	107,685 60
Dutch & Deland	64,922 61
Dodge, Pickering et al.	10,162 07
Derby Fishing company	26,000 00
Ellieott, T. et al.	25,058 00
Gray, H.	600 00
Gray, heirs of Samuel	19,300 00
Gray, William R.	11,409 29
Gray, estate of William	123,032 88
Hooper, R. J. et al.	35,000 00
Maryland Insurance company, &c.	5,500 00
Marblehead Social Insurance company	2,000 00
Marine Insurance company, Philadelphia	7,600 00
Oliver, Robert & John et al.	355,834 74
Prince, Henry	2,507 00
Peabody, Joseph et al.	230,053 13
Proctor, William	906 80
Rowlet, and G. S. Munford	18,000 00
Russel, N. P. agent	2,500 00
Social Insurance company, Salem	60,655 70
Silabee, Nathaniel	84,882 43
Stewart, Alexander	5,307 50
Thorndike, Israel	230,000 00
Union Marine Insurance company	97,000 00
Von Kapff, Brune et al.	31,382 84
West, Nathaniel	137,908 64

Amount of claims on Naples

\$1,734,993 82

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 13—VOL. V.

BALTIMORE, DEC. 3, 1831.

[VOL. XLII. WHOLE No. 1,034]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The address of the New York convention is receiving a most extensive circulation, and *works with power*. It has convinced many.

☞ Our rail road was opened on Thursday to the city of Frederick, sixty miles, with considerable ceremony and many interesting occurrences—of which we shall give some account hereafter. The passages over the inclined planes excited the deepest interest. The triumph of science was shown to be complete.

☞ A great many articles intended for this sheet, have been omitted—some, perhaps, that we should have preferred to others inserted, had not [mechanical] necessity interposed.

REDUCTION OF THE TARIFF. The "Richmond Enquirer" presents the views of the New York convention, set forth in the address to the people of the United States, as to a reduction of duties on such foreign goods as do not come into conflict with the products of *American* labor, and adds—This project is anticipated and re-tulated in the following remarks made by Mr. McDuffie, at a late meeting of "the South Carolina state rights and free trade association," held at Charleston—governor Hamilton in the chair.

"Mr. McDuffie proceeded to praise the magnanimous spirit of forbearance and conciliation which had marked the course of our delegates at the Philadelphia anti-tariff convention. Of the convention he said that he entertained no hope that its efforts would operate a change in the measures of the manufacturing majority in congress. —It might, in connection with other causes, serve to induce the manufacturers to propose a modification of the tariff, but what would be the nature of this modification? It would probably consist in a reduction of the duties on imports *consumed* but *not manufactured* at the north; but with regard to the imports *consumed* by the south, and *received in exchange for southern productions*, he felt assured there would be no reduction of duties,—that these would not only be left fully as much burdened by taxation as they now are, but that eventually the effort would be made to throw the whole burthen of taxation exclusively upon them. He thought it likely that there would be a small reduction made of the duty on sugar—that, in fact, the north never had any interest in this duty.—*It was originally made to influence the vote of Louisiana*, but that her vote was no longer necessary to the views of the manufacturers.—If this reduction should be made, it would be used by the tariff party in this state as an argument that the whole system would be given up, and thus to paralyze the efforts of the state. He conjured the friends of the state not to suffer themselves to be cheated in this manner. He implored them, as they valued their liberties, to inquire for themselves—to exercise a severe scrutiny over the measures of the manufacturing majority in congress—to regard, with the most careful jealousy, all overtures of apparent concession or liberality from that quarter."

☞ We shall soon see how Mr. McDuffie has "retreated" this project.

The new light "philosophers" deal so much in *abstractions*—"in the clouds," and so seldom descend to the homeliness of *practical results*, that it is not often we can grapple them. The "non-committal" doctrine, if started by contemptible politicians of the north, has been so "reformed" in the south with respect to the tariff question, that few venture upon any position whence the ground which they stand upon can be seen—always looking it with high-sounding words and immodest assumptions. But in the present case we shall shew—that if Mr. McDuffie said what is reported of him—he said strange things!

He gives us to understand that a reduction of duties would not be permitted on articles "*received in exchange for southern productions*."

Vol. XLII.—No. 18.

Let us see. Two of the leading articles, (I call them so because of their aggregate values), on which a reduction of duties suggests itself, are *silks and wines*. These are mainly imported from France. I shall give the figures.

Value of silks imported in 1830—

From India	\$1,398,316
all other places, except France	827,316
France	3,548,378

Total silks 5,774,010

The value of wines was \$1,535,102

of which from France, 447,588

These are two of the principal imports from France: Now for the exports.

Gross amount of our domestic exports

to France in 1830 \$9,901,148

Of which there was in cotton 7,646,147

2,254,999

Cotton, cotton, only, forming 3-4ths of the whole. The entire value of the imports from France for the year, was only 7,722,198 dollars. In silks and wines \$3,995,966.

On the other hand—The duties which we desire to have generally retained are *no manufactures of England*—because they come into direct competition with the products of our own labor. We shall shew how—and again by figures.

The whole value of domestic products exported to England, Scotland and Ireland, in 1830

was 25,499,918

of which there was in cotton 20,687,642

4,812,276

Leaving for all other agricultural products, including tobacco and rice, (mirabile dictu!)—all the products of the forest, of the sea, and of manufactures, the pitiful sum of 4,812,276 dollars—being all which all the people of the United States, except the few engaged in cotton-planting, have to exchange, (or rather all that Great Britain will receive), for the hundreds of millions in value that they require of those manufactures which the British directly come into competition with! Now, if "*southern productions*"—always meaning cotton, cotton, COTTON, though not worth so much as our manufactures of leather by several millions, are worthy, of such high and tender regard,—may not forty nine fifths of the people of the United States, who have no direct interest in the making of cotton, cotton, COTTON, look a little to themselves, in the application of Mr. McDuffie's own principles? and we see that France, on whose products it seems probable a large amount of reduction in the duties will be made, chiefly receives cotton in payment for them? What is the proportion of the cotton planters to the rest of the people of the United States—the farmers, mechanics, manufacturers, tobacco, and rice, and sugar planters? We have supposed one out of fifty. It is a large allowance! What is this cotton of the south? Why, of hardly superior value to the crisp of raw wool in the north, for which there is NO MARKET EXCEPT AT HOME! Yes—and those of the people interested in the growth of wool are many times, twenty times, more numerous than those interested in the growth of cotton. Will Mr. McDuffie's principles—(his "*reluctation*" as Mr. Ritchie says!) apply only to favor a small minority of the people? Have the MAJORITY no discretion—no rights? Are we only to eat, drink and sleep upon cotton—to build houses and clothe ourselves with cotton—to "enjoy life, liberty and the pursuit of happiness," in making and selling cotton—to marry wives of cotton; and have cotton children! It won't do—we must have something besides cotton! And, Mr.

McDuffie's rule being right for the south, must be suitable for the north? There is an old saying that "what is good for the goose is good for the gander;" and I guess that the saying is just as true as it was in "Mother Goose's" time—or, "Mrs. Grunty's."

But what justice is there in the gentleman's declaration? To the island of Cuba, alone, we exported last year, to the value of 3,459,000 dollars, or only in the small sum of 1,573,000 dollars less than we exported to England, Scotland and Ireland, except in the article of cotton. These supplies are almost exclusively the products of farmers, manufacturers and fishermen; yet Mr. McDuffie will be disappointed in his expectation that the duty on sugar will be reduced, unless the whole "system" shall fall—that being the chief production of Cuba which remains subject to a high rate of duty. The friends of the tariff believe that even sugar (like all other commodities), has declined in its cost to consumers because of the protection afforded to domestic makers of it; and that the sugar planters create a very valuable and highly important home market for the corn, pork, &c. of the farmers, and for the manufacturers of iron and other materials. They know that coffee has not fallen in price since the least duty upon it, and that its value advanced in the West Indies on the instant that our duty declined! We might extend these remarks, and bring many other cases—but enough, perhaps, has been said to show the whole merit of Mr. McDuffie's "retutation!"

The gentleman says, the duty on sugar was made "to influence the vote of Louisiana." Well—it may be so! But Messrs. JOHN C. CALHOUN, WILLIAM LOWMEDES, William Mayrant, and William Woodward, of the South Carolina delegation, in the house of representatives, voted for the bill of 1816, which raised the duty from 2 to 3 cents per lb.—its present rate; and only Messrs. Huger, Moore and Taylor, of the same delegation, voted against it—the other members, Messrs. Chappell and Middleton, being absent. In the senate, Mr. GALLARD voted for it, Mr. Taylor being absent. So did Mr. Mason, of Virginia, Tait, of Georgia, Campbell and Williams, of Tennessee, &c. It prevailed in the senate 23 to 7! Can any man believe that there were only seven members in that most honorable body, [for so it was then, though since disgraced by scenes better fitted for the bar-room at a cross-roads whiskey-shop] resisted this MANTRA for the "vote of Louisiana?" *Credat Sulpicius Appellat!*

Mr. McDuffie will have no modification of the tariff except himself and his friends—the cotton-men, shall controul it! This is very moderate—and modest! What then shall be done with the surplus revenue after the debt is paid? Why—we must take up some of Mr. Calhoun's splendid schemes of internal improvement, or practise upon Mr. McDuffie's own deliriums of 1821, that it may be returned to the people, and have a wholesome circulation among them! See his essays signed "One of the people," in reply to the Georgia Trio of "radicals," republished in pamphlet form by James Hamilton, present governor of South Carolina, Oct. 1, 1821, in "just homage," as the now governor Hamilton then said, "to the sacred principles they inculcate." Then, the South Carolina politicians were ultra liberal. One of the most consistent and real friends of the tariff that ever represented a part of the people of Pennsylvania, used to say, "they went so far that he could not reach them with a long pole." Then they had constitution for every thing—for any thing. The national government was the palladium of our rights—the only safe depository of power: now the states are the only asylums of our liberties, and all power is in them! The clowns at the circus might learn many changes of position, by studying the movements of the multifaceted of the day!—and make the "groundings" laugh.

We here feel it right to give an opinion—speaking only for ourselves—that the friends of the "American System" will agree to no modification of the tariff that shall place foreign labor in opposition to our own—unless ON STRICT TERMS OF RECIPROCITY; such as exists in navigation between us and England. When the latter

freely admits the products of our fields, forests, workshops and fisheries, we will think about freely admitting her manufactures; but never, while the name of an American is a proud one, till then. We go for this—some what may—and will not make any concession which has for its issue, an abandonment of the power to preserve our own independence.

EFFECT OF MANUFACTURES—addressed to the editor.
As the moral effect produced by manufacturing establishments of our country, have excited some speculation on the subject—allow a subscriber to mention a few facts, which have occurred under his notice. In a recent visit to Walden, Orange county, state of New York, (probably well remembered by you from the due respect manifested in a late visit made by you to that place). This location is one of the best in this country, for the purpose of manufacturing, with an increasing population—all dependent on its factories; and, what is extraordinary, not a dissolute (in the general acceptation of the word) person of either sex is to be found in the place. Ardent spirit is entirely abandoned. Many of the inmates of the buildings were originally from the city of New York. Some from the most depraved parents. What is the result in a few years? They have been taught reading, writing, arithmetic—acquired a due knowledge of their business, and are now receiving from \$5 to \$7 per week. Contrast their situation, if they had remained in New York. Possibly some *dearhearted eva* might have awaited them, and now they are respectable. So it is with those from the adjoining counties. Without the knowledge, or the means of obtaining a livelihood, we find them educated, and strictly moral; and among from 300 to 400 females, no instance has ever occurred which warranted the least reproach. They have many domestic comforts, and no want of society; they have their bells and private parades, are highly respected, and participate with the inhabitants in every social intercourse. The Sunday schools are well attended, and the most distinguished inhabitants give them their personal attention, and, what is morally better than all, marriage connections have most generally proved satisfactory. Among other suggestions, it has been seriously thought of establishing a beneficial society—for each member to deposit a certain amount weekly, for the purpose of mutual relief in case of sickness—also a savings bank, where the respective persons who think fit may deposit their earnings, under the care of certain trustees, who shall invest it in such manner that they may draw a handsome interest for the same. In this place there are no idlers—no drunkards—all are well employed. It has a healthy situation, morals are attended to, and the proprietors, men of humanity, exercising a parental reg-*rd*. In fact, they are a happy community. So much for the manufacturing interest of our country!!

A. B. C.

Bullino: e county, 1831.

[The editor is entirely satisfied that the state of society at Walden, is not colored too highly; and he is equally assured that the same happy condition of things belongs to many—to nearly all, the manufacturing villages of the United States.]

NORTH CAROLINA. This state, from the happy adaptation of its varied soil, production and climate to manufacturing industry, should be among the strongest advocates of the "American System"—and the fact is, that a large proportion of her most valuable citizens decidedly favor it. Her gold mines are causing a great demand, and opening a new market, for the produce of her farmers. Corn, bacon, &c. instead of seeking the sea-board, for uncertain sale or at least uncertain prices, now proceed westward, in large quantities, and meet with fair prices. But N. Carolina has iron mines more valuable than those of gold, with ample water-power and fuel to work them advantageously. Her lower country supplies abundance of cotton, rice, and other important articles, in the way of *materials*—and her upper lands may feed millions of sheep, and furnish almost any quantity of bread-stuffs and meats. Her people, in the country last mentioned, are as well fitted for manufacturing as those of any other, and in every respect; and the two parts of the state are bountifully conditioned to carry on

*Aye—and for slaves! more is the pity!

†Nor has molasses or salt.

an immensely valuable interior trade—the safest and the best, under any possibility of circumstances.

Many—very many, letters which I have received, at different times, from North Carolina, entirely satisfy me, that the people of this state have a clear view of their deep interest in the success of domestic industry—with a well defined knowledge of the manner in which the various branches interlock with and support one another; and I have no manner of doubt, that this state will become a leading one in behalf of the home market, by encouraging domestic manufactures and internal improvement, which so admirably work together to give value to lands and their products, while lessening the price of all sorts of commodities to consumers.

The following is an extract from a letter recently addressed to me by a distinguished citizen of North Carolina:

"In this place we have but a few men of information—the country around is but thinly inhabited; but out of — I do not know of one anti-tariff man. For myself, I am a consumer—buying all I eat, drink, and wear in my family—producing by labor, nothing. And yet I am, and have been, well satisfied that I live at as little cost as I should have done, if no duties had ever been imposed on foreign imports: and I pity that man—the AMERICAN—who, if he ever had any patriotism or national pride, has lost all feeling of independence, or is willing to barter and truckle it with foreigners in a traffic about a few shillings."

BANK U. S. The Charleston "Mercury" is under the "apprehension" that a branch of the bank of the United States is about to be established at Columbia; and talks about "federal usurpation," and considers the proceeding as the "greatest outrage that has been meditated on the feelings of our people"—adding, they "cannot permit its establishment," "except they recognize the right of congress to establish corporations"—unless willing to "sacrifice the liberties of South Carolina, and give up the bank of the state" as an unresisting victim to its power; and many other like moderate words and smooth sentences. Now, the best of the joke is,—that the people of South Carolina hold more of the stock of the bank of the United States than those of any other state, Pennsylvania excepted! Pennsylvania 52,638 shares, South Carolina 40,674, Maryland 34,503, New York 32,903, &c. This is a fine comment also, upon the poverty of South Carolina, about which the "Mercury" has so feelingly spoken "daily and every day," for a long time past. And, if the branch at Columbia is to become some sort of a tax, the state will receive an extra proportion for what it pays in the dividends made.

BOSTON—ruined by the tariff. The bargain for the lease of the city wharf was concluded this morning on the following terms. Ten thousand dollars per annum for 20 years; the lessees to erect on the wharf ten substantial brick stores, to cost not less than \$3,000 each, to revert to the city of Boston at the expiration of the lease.

[Boston Transcript.]

☞ The heaps of ruins which have appeared in all the old business parts of the cities of Boston, New York, Philadelphia and Baltimore, in the present year, were enough to make a lover of his country feel quite "awful!" We have seen the ruins of whole ranges of houses—but were comforted with also seeing materials present for building new and better ones, in their stead. Mr. Randolph, though in a great hurry to get home, must have felt delighted with the small opportunity afforded, of seeing that Philadelphia was not in a "state of atrophy," nor Baltimore "deserted!"

SNOW ON THE RAIL-ROAD. The snow storm of last week covered some parts of our rail-road a foot deep. Though no calculation had been made on such an occurrence so early in the season, such were the resources and activity of the officers and agents of the company, that only a few hours delay happened in travelling the whole forty miles; as well as in removing many obstructions, such as trees blown down, which had been cast

upon the road by the great violence of the storm—a very extraordinary one, for the season of the year.

"THE PENNSYLVANIA SOCIETY, for the promotion of manufactures and the mechanic arts" has been revived—Joseph Hemphill, president; Mathew Carey, P. S. Duponceau, Charles J. Ingersoll, Robert Wain and Daniel W. Cox, vice presidents, &c. W. H. Keating is the corresponding secretary.

"WOLF, or ANTI WOLF," are the battle cries of politicians in Pennsylvania. The majority seems to be *Wolf* ites. But some insist that the support of gov. Wolf is opposition to president Jackson. The doctors disagree.

WOOL. New York Nov. 21. The demand continues for low and middling wools, at nearly former rates—in some instances purchases have been made for each a trifle lower. The market continues well supplied of both foreign and domestic. Since our last, we note foreign arrivals as follows, 1,483 bales from Lisbon, 133 from Smyrna, 16 from Liverpool, at this port; 176 from Smyrna, 36 from Cronstadt, at Boston—400 bales are advertised to be sold on the 29th, of Spanish and Portuguese, at this place.

American Saxony, fleece,	65 a 70
Full blood merino,	58 a 60
Hall, "	50 a 53
Native and quarter blood merino, fleece,	45 a 50
Pulled lambs, No. 1,	60 a 53
" " No. 2,	37 a 40
<i>Foreign wools.</i>	
Spanish hat wools,	30 a 30
Saxony,	50 a 75
Smyrna, No. 1,	36 a 37
" " No. 2,	33 a 34
Mexican,	20 a 23
Buenos Ayres,	12½ a 14

CONSUMPTION OF SILK. The quantity of this material used in England alone amounts in each year to more than four millions of pounds weight, for the production of which myriads upon myriads of insects are required. Fourteen thousand millions of animated creatures annually live and die to supply this little corner of the world with an article of luxury! If astonishment be excited at this fact, let us extend our view into China, and survey the dense population of its widely spread region, whose inhabitants, from the emperor on his throne to the peasant in the lowly hut, are indebted for their clothing to the labor of the silk-worm. The imagination, fatigued with the flight, is lost and bewildered in contemplating the countless numbers which every successive year spin their slender threads for the service of man. Dr. Lardner's Cabinet Cyclopaedia, vol. xxii. Treatise on the silk manufacture.

LIBERIA. The November number of the "African Repository," published at Washington by order of the managers of the American Colonization Society, contains a good deal of highly interesting information from Liberia. The general health of the settlement has much improved—as most persons believed that it would, in the progress of population and comforts. The residents, indeed, now seem in the full enjoyment of health—and, the accommodations for emigrants being better, and a knowledge of the course which they ought to pursue ascertained, the *seasoning*, if it may be so called, passes off much easier than heretofore. After this, the climate seems very congenial to the colored people. It is suggested, however, that emigrants from those parts of the United States which are not mountainous, should be preferred.

The matter of health being in this improved state, we refer with pleasure to the general affairs of the colony, which are quite prosperous. But it is complained, that the people are more disposed to make a living by traffic, than through agricultural labor. This evil will regulate itself, as the amount of population advances and makes a ready market for the productions of the soil. And it is probable also, that the class of persons hereafter chiefly to be sent out, will be of those better fitted, by their habits, for labor in the field.

During the past year 46 vessels arrived at the colony, 21 were American, the majority of the remainder English—and the exports were valued at \$85,911 25. A considerable and increasing trade has been opened with the interior, and it is hoped that a powerful moral influence will be obtained over the native inhabitants—some of whom already seek the advice of the agent for the adjustment of their disputes with one another, and certain of the tribes appear disposed to form an immediate connection with the colonists. There are many particulars related which we cannot detail.

The schools are in a very flourishing condition—126 children are now reaping the benefits of education. Other school houses are about to be built, and the number will be increased.

The chief articles received of the natives in barter are ivory, camwood and rice—of all which they have much advanced the comparative value.

The agent expresses a fear that too many emigrants will be sent out in the ensuing 12 months—means not being adequate to their proper reception and wholesome accommodation. This evil, however, with previous preparation, may be alleviated; and, as the colony gains strength in itself, accommodation and employment will increase. It seems probable that the cultivation of coffee will chiefly accomplish these things.

New sites for settlements and towns have been fixed on—and there now seems no doubt, that, if this colony is faithfully cherished a few years, (yet not too rapidly forced onward), it will become all that has been reasonably expected of it—a happy asylum for free persons of color from the United States; a country with a large population and trade, having a powerful effect, in various ways, on the native inhabitants, and possibly become the means of altogether abolishing the infamous traffic in the blood of human beings, which has so much afflicted Africa and cursed other parts of the world.

THE INDIANS. From the Cincinnati Gazette. Two weeks ago a deputation from the Wyandot Indians proceeded from this place to Missouri, for the purpose of exploring the country, as preliminary to a treaty for the sale of their reserves, and a removal west of the Mississippi. The whole tribe of Senecas, upwards of 200 in number, passed through here yesterday, on their way, we understand, to Arkansas, having sold their lands in Ohio, to the United States, and taken a final farewell of the homes of their fathers. A few years ago, and there would have been but one sentiment here upon their case. Party feeling now converts sympathy for them into opposition to the administration; consequently, any expression of sensibility is carried to an evil account, and creates nothing but prejudice. "Tis true, 'tis pity and pity 'tis 'tis true!"

RHODE ISLAND. The following in the aggregate from the sums total, of the returns from the fifty-one banks in this state, made to the general assembly, at the October session, agreeably to law:—

Capital stock,	\$6,732,296 53
Deposits,	1,290,603 17
Profits on hand,	179,552 97
Due from banks,	112,261 49
Bills in circulation,	1,342,356 59
Debts due from directors,	853,298 69
" other stockholders,	697,921 13
" from all others,	6,695,505 74
Specie,	425,692 38
Bills of other banks,	257,792 95
Deposited in other banks,	233,935 66
Bank and other stocks,	345,775 60
U. S. stock,	28,025 59
Real estate,	252,163 14
Personal estate,	8,455 08

From the above aggregate, it appears that the increase of bank capital in this state, since the report of October, 1830, is \$743,485—and since June last of \$32,625.

[Herald of the Times.]

ROBERT POTTER has resigned his seat as a representative to congress from the state of North Carolina, as appears from the following, which we copy from the Oxford Examiner:

"On Saturday last, a number of gentlemen presented to Mr. Potter a written request to resign his seat in congress, to which he returned the following reply:

Oxford, N. C. 12th Nov. 1831.

To Messrs. J. M. Wiggins, David Winston, and others.

Gentlemen—I have just received your communication upon the subject of my present relation to this congressional district, and I thank you for the generous and friendly motives which induced you to send it.

You may be well assured that a seat in congress or any other public appointment could have no value in my eyes, the moment I should perceive I had lost, however, unjustly, the confidence of those who had bestowed it. With these sentiments I should, at once, on being sent here, have returned to the people the commission with which they had honored me, if I had been assured that a majority of them desired it. Placed, however, out of the view of the community, and deprived of all opportunity of standing up before the people in defence of my rights, I thought it became me to occupy a position purely passive, and not to recognize any fact in relation to the will of the community unless it were distinctly intimated to me. Having now received such intimation as to justify this step, I cheerfully return to my constituents the appointment to which they had advanced me in the public service. I have this moment forwarded my resignation to the governor, in order that an election may be forthwith held for my successor.

I am, with great regard, your friend and obedient servant,
R. B. POTTER.

[Mr. Potter, it will be recollected, is imprisoned for a violent assault upon, and cruel maiming of a youth, and is yet to be tried for a like assault and maim of an aged gentleman.]

MADAWASKA. From the Journal of Commerce. We learn from the eastern papers, that Barnabas Hunnewell, Daniel Savage and Jesse Wheelock, the Madawaska settlers imprisoned in Frederickton jail, have been released by the governor of New Brunswick, in consequence of representations made to him by the British minister at Washington. Having been convicted of "a conspiracy to subvert his majesty's authority in that province," they were sentenced to three months imprisonment and a fine of £50 each. They are now pardoned and "discharged out of custody, upon their respectively entering into recognizances to his majesty, for the payment of the said fines, so imposed upon them, when thereto requested;" an accident, says the Portland Advertiser, which it is understood will never happen.

As to the right of jurisdiction over these men by the governor of New Brunswick, and the right of arresting them at the Madawaska settlement, all will depend upon the situation of the boundary line and the state of the boundary question. It is alleged, and we presume truly, that they resided and were captured on this side of the line as defined by the king of Holland, though, of course, on land in dispute between the two countries prior to that decision.

Such being the case, the authorities of New Brunswick, without any great stretch of forbearance, might have waived, for the time, their claims to jurisdiction,—the "conspiracy" being in fact nothing more than a conspiracy to become what the decision of the king of Holland makes them, American citizens.

But is it not a fact that the state of Maine, pending the ratification of the decision by the British and American governments, still exercises jurisdiction over the same territory as before the decision was made? If so, she cannot so well complain that the government of New Brunswick does likewise.

AMHERST COLLEGE. The catalogue of this flourishing institution for October 1831, shews 7 professors, 3 tutors, 2 resident graduates, 59 minors, 46 juniors, 50 sophomores, and 60 freshmen. The college bills and boarding amount to 93 or 118 dollars a year, varying with the circumstances or habits of the student.

THE CONSTITUTION. Extract from a speech in the senate of the United States, by Gouverneur Morris, January 8, 1802.

"There are some honorable gentlemen now present, who sat in the convention which formed this constitution. I appeal to their recollection, have they not seen the time when the fate of America was suspended by a hair? My life for it if another convention be assembled, that they will part without doing any thing. Never in the flow of time was there a moment so propitious as that in which the convention assembled. The states had been convinced, by melancholy experience, how inadequate they were to the management of our national concerns. The passions of the people were lulled to sleep—state pride slumbered—the constitution was promulgated—and then it awoke, and opposition was formed—but it was in vain. *The people of America bound the states down by this compact.*"

Gov. METCALFE's recommendations of works of internal improvement appear to be judicious. The general face of the country, and the course of its waters, forbid the construction of canals in Kentucky; and the attention of the legislature is therefore directed to the improvement of roads and rivers. In the following paragraph the governor evinces a just sense of the true sources of national wealth:

"It is believed to be a sound maxim in political economy, that national wealth consists in the most enlarged and varied capacity to acquire the necessities and comforts of life. The ancient, but lugubrious theory, by which the minds of many have been bewildered, that national wealth consisted in accumulations over and above the annual consumption, has long since been exploded. All practical statesmen now admit that *hoarded accumulations*, without a market, or the means of transportation to market, are valueless, and will soon perish. Whatever saves labor or time is admitted to be productive of wealth. Whatever facilitates and cheapens the process of exchanging one commodity for another, increases the capacity to produce; enriches the nation; adds to her offensive and defensive strength; diffuses happiness and comfort and joy amongst her own citizens; increases their love of home; affords them leisure for the cultivation of the mind; enables them to mingle without defined limit in the affairs of active practical life; exalts their character, and that of the state, to the loftiest summit of human elevation."

HORRY DISTRICT. At a general meeting of the citizens of Horry district, S. C. held on the 31st ult. to declare their sentiments, in relation to the doctrine of nullification, it was

Resolved, "That we do not recognise the right of a state to annul a law of the general government; on the contrary, we view the new coined doctrine of nullification in its real character as revolutionary, and therefore abjure it as a gross political heresy."

It was also resolved, that "should a proposition be made at the ensuing session to nullify any of the laws passed by the congress of the U. States, our senator and representative are hereby expressly instructed to vote against, and to use their utmost endeavors in opposing it. But should their efforts prove unavailing, and such a measure shall receive the sanction of both branches of the legislature, we shall view it as a 'deliberate, palpable and dangerous exercise of undelegated power,'—unauthoritative, void, and of no binding force upon the citizens of this state."

TENNESSEE. The house of representatives have adopted the following resolution, which has been transmitted to the senate for their concurrence:

"*Resolved*, That our senators in congress be instructed, and our representatives be requested, to use their best exertions to procure such a revision and reduction of the existing tariff duties of the United States, as will, on the payment and discharge of the national debt, reduce the same to the standard of necessary revenue, and the encouragement of such domestic manufactures alone, as are *indispensable* to our national independence."

[This is all well enough—it submits the expediency of a protecting tariff to those whose right and duty it is to select such manufactures as should be "encouraged."]

THE BRITISH WEST INDIES are exceedingly agitated. In Jamaica, very plain language is used with respect to certain contemplated proceedings of the "mother country," to affect the products and population of the islands.* In Grenada, Tortola, &c. fearful apprehensions existed of a siege of the cities. Barbadoes is, on several accounts, in a very distressed state. There are many reasons, we think, to believe that a great crisis in the affairs of the British West Indies, is at hand. With all the advantages which they possess in a monopoly for the British consumption of their sugar—by protecting duties levied on the product even of the British East India colonies, the planters do not realize two per cent. on their capital; and the whole property in the islands would not pay the debts to which it is subject. Nearly every one wishes to sell out, and nobody wants to purchase, lands and slaves—the tenure of both being very uncertain; and their own lives, in some cases, hardly thought secure against midnight acts of violence.

CUBA. The New York Reclator contains an official tabular view of the population, commerce, &c. of the island of Cuba, from which it appears that the island contains 804,487 inhabitants, of which 112,032 reside in Havana. In addition to these numbers, the military forces in garrison amount to 26,075. The ratio of population is 20½ to the square league. The amount of exports is \$10,063,761. And the revenue amounts to \$8,553,895; the expenses of the government to 9,140,559.

THE BONAPARTE FAMILY. It appears that Achille Murat who lately left this country, son of the late king of Naples, had obtained a commission in the Belgic army, which, being known to the French king, the latter immediately requested his dismissal (because he belonged to the Bonaparte family) which was complied with by Leopold.

[A later statement in a Paris paper says that king Leopold had reconsidered this decision, and had, on the 5th of October, signed a decree for organizing a foreign legion, of which Achille Murat was appointed colonel.] *[Ed. N. Y. Am.]*

EXTRAVAGANCE. A London paper, describing the dresses of some ladies on a public occasion in that city, makes the following statements:

"The duchess of Argyll, in a dress of massive gold tissue, her raven locks, and a prodigious plume of feathers of the same color, produced a contrast with her diamonds, equaled only by

"The duchess of Bedford, whose jewelry astonished all by its glitter and glare. The latter made a prodigious display indeed. Independently of the necklace, which cost *fifty thousand guineas*, (\$233,000), chains of diamonds, with amethysts in the centre, decorated her grave's dress, from the thick velvet Spanish tail, to the girdle or restus, below the stomach.

The hon. Mrs. Hope, was a meteor in the throng; that lady was a moving firmament, and it was said that the cost in brilliant alone in a dress of sombre magnificence, (crimson), exceeded *seven hundred thousand pounds!*" or three millions one hundred and eight thousand dollars.

This single sum is more than sufficient to pay the salaries of all the governors in the United States, for fifty-five years! and, if divided among the people of this country, would be about \$8 to every person, both white and black, in the state of Georgia, and nearly \$518 to every person in the city of Augusta. It is also about one-sixth of the expense of our national government for a year.

[Augusta paper.]

[While such things were exhibiting in England, 150,000 persons, in one county of Ireland, were almost starving, though potatoes were only 4 cents per stone of 14lbs.]

*A pretty brisk quarrel took place between the governor and the house of assembly—but the governor retired from certain expressions in his opening speech which were deemed offensive, and a seeming peace followed. The temper of the house, however, is manifestly bad, and the "disputa with the mother country" will go on.

SARDINIA. It appears that the *standing army* of this petty kingdom—(now however, in a sort of vassalage to Austria), consists of 80 or 90,000 men! Hence the people are, as they must needs be, severely ruled and miserably fed.

BRIEF NOTICES.

An aged woman. There is at present living near Riverstown, in this county, in the perfect possession of her mental faculties, and with a degree of bodily activity that is really surprising, a respectable woman named Waugh, who has attained the extraordinary age of 117! She has, therefore, lived in the reigns of Queen Ann, George I. George II. George III. George IV. and is now in lively existence in that of William IV.

[*Sligo Journal.*]

Died, on the 17th November at Orwigsburg, Penn. **Peter Frailey**, esq. in the 73d year of his age—a venerable and valued man, a soldier of the revolution, and who afterwards filled many important offices in Pennsylvania with great benefit to the public and honor to himself. He was warm-hearted and kind—intelligent, liberal and just; and his decease must cause a sensible void in the society of Schuylkill county, of which he has been aptly called "the father."

Married. Last evening, by the rev. Mr. Barnes, **Andrew Jackson**, jr. esq. son of the president of the U. States, to Miss **Sarah**, daughter of the late Peter Yorke, esq. of this city.

[The preceding is from the Philadelphia Sentinel of Nov. 25. The gentleman married is the adopted son of the president.]

Missusquets (we might almost say Boston), had the first printing press, the first college, the first canal, the first rail-road, the first Sunday school, and the first fighting for independence, in America. [*Trans.*]

A bite. In "a rough and tumble fight" between two persons at Philadelphia, one of them bit off the others lip, and attempted also to bite off his nose!

Constantinople. The publication of a new paper which the sultan has for some time past been endeavoring to organize, is now likely soon to take place. The paper is to be published partly in Turkish and partly in French. The Turkish portion is to be edited by **Fuad Effendi**, the historiographer of the porte, and the French portion by **M. Blacque**, late editor of the *Courier de Smyrne*, which paper has for some time past ceased to appear.

Mr. Anderson. We learn from the Boston Transcript, that the committee of the board of aldermen on the communication of the manager of the Tremont theatre, transmitting \$302, the proceeds of Mr. and Mrs. Anderson's charity concert, have reported, as their opinion, that the money was presented under a misapprehension of public sentiment. The board have voted to replace the funds at the disposal of Mr. Barrett, the manager.

[So the Bostonians will not have either the vocal or the bank notes of Mr. A.]

Infamous. Certain young men, in New York, well dressed and having the appearance of gentlemen, have recently assaulted respectable ladies in the streets, if unprotected, in the evening, in a way that decency forbids a description of. One of them, however, having thus assaulted a young lady, was seized by her companion, (a married one), who held on until assistance came and secured the scoundrel. He has been held to bail in the sum of 1,000 dollars; but should be taught the art and mystery of sawing stone at Sing-Sing, for at least ten years—if guilty as charged.

Great slaughter of seals. A late English paper says—A number of seals have been in the habit of passing up the Tyne with the tide, for the purpose of preying on the salmon. Several sportsmen repaired in consequence to the mouth of the river on Friday week, at high water, and put down a quantity of nets, at which the seals were stopped. They then raised their heads to the surface, and were instantly fired at by a number of good shots. The flopping of the wounded, the progressive accession of fresh numbers, the constant salutes of the sportsmen, and the shouts of about 300 spectators, presented a singular scene. A melon was caught hold of a seal which rose near the brink of the river, by one of the hind membranes, but suffered for his temerity

by being dragged heels over head into the water, in consequence of a desperate plunge of the poor phoca. The water was dyed with blood, and the returns give 32 killed; but how many were wounded does not appear.

Bank of England. It appears by official documents, that in Great Britain there are no fewer than 264,000 holders of stock in the bank of England, whose dividends do not exceed £200 a year.

A snug birth. In the discussion in the House of Lords on the evening of the 20th of September, Lord Brougham had occasion to speak of certain securities in his gift, and he remarked of one, worth £9,000 per annum, that it was once held by the celebrated "*Nell Gwynne*."

Good news. A paragraph in one of the French papers postpones the fatal visit of the comet of 1832 to the year 87, 832!

Bonaparte. At a ball given by the city of Paris to Bonaparte, was a madame Cardon. In general, he was not very fond of people who had become rich by any means but his own favour. He had never seen madame Cardon, whose name even he had never known before; but he had been told that her husband was possessed of great wealth. He walked towards her with a peevish sort of air, and said to her very abruptly—"Are you madame Cardon?" She made a profound courtesy to this question. Bonaparte continued his discourse. "You are very rich?" "Yes sir," she replied, "I have ten children." Bonaparte, struck with the delicate force of this reply, walked away quickly.

Gamblers. A lot of about sixty were lately disturbed by the police in Philadelphia—but all escaped by jumping out of the windows, &c. except nine, who were conducted to prison. The regular establishment has thus been broken up—it was snugly fitted for cecds of darkness.

Counsellor Sampson, in the course of an eloquent reply to a toast drank to his health and happiness, at a dinner lately given him in Philadelphia, expressed himself thus—"I might have risen to higher fortunes, and, had I stooped as low as others did, I might have worn a coronet, and left, in dying, to my posterity, a high and sounding title to hereditary infamy."

A Frenchman, meeting an English soldier with a Waterloo medal, began anxiously to animadvert on the English government for bestowing such a trifle, which did not cost them three francs. "That is true, to be sure," replied the hero; it did not cost the English government three francs, but it cost the French a *Napoleon*."

The Legion of Honor. The number of members created last year was 180; but during the first six months of the present year, it has amounted to 2,457; viz: 8 grand crosses, 36 great officers, 121 commanders, 362 officers, and 2,950 legionaries. The expenses of the mere insignia of these nominations will not be short of £5,400.

Sunday schools. The number of those institutions in the United States is 7,244—teachers 63,216—pupils 451,075.

Rat snake. A man at Person Court House, N. C. died as stated below a few days since. He had a rattle-snake in keeping, of whose "tameness" he unhappily had too high an opinion—for he was accustomed to handle it.

"The deceased was not bitten by the snake as was at first supposed, by those who were not present; he told our informant, at the time when his mouth and tongue were so much swollen that he could scarcely articulate, 'that the snake did not do it intentionally.' Those who were present say that Mr. Bobbit had the snake out showing it to them, holding it in his left hand, rather loosely, that by an effort of the snake to draw his head back, one of its fangs came in contact with one of Mr. B's fore fingers about half an inch below the upper joint; he dropped the snake, but immediately picked it up, put it in the cage and commenced sucking the wound. A physician was called in and saw the deceased in three minutes after the accident; his eyes were then red—his lips swollen and quivering—he said he should die, and was in the act of falling, when he was assisted to bed. In ten minutes afterwards, every muscle in the system appeared affected with a twitching which continued until he died. Vomiting commenced in ten min

nates after the accident, and continued for an hour. No pulse was discovered after thirty minutes from the time the occurrence took place. He appeared to be sensible of all that was passing until about two hours before his death, at which time his breathing became more difficult, which continued to increase until he breathed his last. He died in six and a half hours from the time the poisonous gas entered his flesh—a melancholy instance of human folly.

One of the "giants." Married recently at Federalburg, Md. Mr. William Ward, a soldier of the revolution, aged 106 years, to Mrs. Catharine Wright, aged about 48.

BRITISH AFFAIRS.

From Bell's London Weekly Messenger.

Distresses and difficulties in general trade, and the causes explained.

It is impossible to look around us, and not perceive that great distress exists in every branch of trade, commerce and manufacture. From the years 1821 to 1824, agriculture labored under the heaviest pressure. It has partially revived, though it experienced a slight relapse last year; but trade and commerce, since the fatal blow which they experienced in 1826, have never recovered; fresh embarrassments have arisen, and new ones are every day thickening over them.

We have been accustomed of late to see names in the Gazette, which every man deemed as firmly fixed in their counting-houses as our native oaks in their forests. But the tempest has torn them up, and many of them now lie prostrate on the highway, whose names have been long embossed in the first walks of commerce and opulence. It has been with great regret that we have seen such names as those of M'ning, Palmer, and others, formerly East India and bank directors, added to the list of bankrupts.

If we seek the causes of these extensive misfortunes, we find many of them sufficiently apparent. The bank circulation has diminished two millions within little more than a year. If we take the period of the late revolution in France, we find that its circulation has been contracted within that time from £19,200,000, to £7,200,000. The funds within the same period have declined from 92 to 82. All the great staples of the country have been diminished in the same proportion. Wool and woollen yarn, notwithstanding their rise in the beginning of the year, much owing we believe to the speculations of American dealers, have fallen back to their usual stagnation. Cotton was scarcely ever lower; and this cannot be ascribed to the excess of importation. Iron, both in Wales and Staffordshire, is at a most ruinous price. Lead is so low in our own market, and so depressed abroad by the competition of the Spanish mines,—where it is picked up upon the surface of the soil, and requires little more than smelting,—as to afford no remunerating price. Colonial produce, not excepting that which is grasped by the monopoly of the East India company, is reduced to an unparalleled extent.

The state of things which we have above sketched, depends upon documents which we cannot alter, viz. the price currents, and therefore we cannot be suspected of exaggeration. But these disasters, confined in the beginning to the wholesale dealer, have at length passed into the retail trade.

It was observed by sir R. Peel, in his speech on the reform bill, that, notwithstanding the longest season ever known in London, the pressure on all shop-keepers had been most severe, and retail trade had been cut to the quick; and at a late interview between lord Grey and a deputation from Birmingham, lord G. admitted that manufactured goods had fallen fifty per cent. since the alteration of the currency.

But there is further evidence of the appalling distress of the times in the number of writs issued during the last two years and a half. By the report of the law commissioners, it appears, that seventy thousand affidavits have been filed for holding debtors to bail within that period. In all manufacturing districts, at this moment, legal process is sued out to a frightful extent, and more particularly in the potteries, and hardware districts.

Having made this short and melancholy statement, and with no purpose of infusing gloom, where it is our duty to prompt to energy and exertion, we propose shortly to point out the two main causes of the present stagnation and distress, in addition to what we have above detailed. They appear to be these:—First, the political state of Europe;—Secondly, the fluctuating system of finance pursued by ministers.

The uncertain condition of public affairs has unhinged all the markets of the continent, and the visitation of the dreadful pestilence of the cholera has augmented the evils arising from public agitation. The great markets of Germany have been less thronged during the spring, the summer, and autumn, than was ever known. The large dealers, who used to arrive from Bohemia and Hungary, are kept at home from the apprehensions of the plague; whilst the civil war in Poland has not only interrupted the dealings of the provinces on the banks of the Vistula and the Niemen, but has shut out from the markets of Europe the numerous Russian merchants who came from the extreme banks of the Volga and the D. n. The rich provinces of Galicia and Dalmatia have been deterred, by the same causes, from the German mart; and though our trade with Italy and the Archipelago has not suffered to the same extent, it has still been deranged in a great degree by the like disturbing effects.

It is not to be doubted, therefore, that the agitated state of Europe, in addition to the evils of that dreadful pestilence which "walketh by day, and whose arrows flyeth by night," have produced the most disastrous consequences to our general trade and commerce.

Our large trade with America has not indeed failed us, but the southern states are in a condition so unsettled and unsafe, that their commerce has been more than usually unproductive. Since the late change of government of the Brazils, the commerce with that part of the globe has been almost stagnant, and the merchant thinks himself fortunate if he can get his goods back without exporting any sale at remittance.

If such have been the effects upon trade and commerce from the political agitations of Europe, and our requires us to add, that the fluctuating system of finance pursued by ministers has been the second disturbing cause.

We do not blame lord Althorp for impediments which he could not master, owing to the state of the house of commons when he first brought forward his budget. But his Canada timber bill has been productive of great embarrassment in that large branch of our trade.

Our own opinions upon this bill have been before expressed; but the plan of equalizing, or nearly equalizing, the duties upon Baltic and Canada timbers, should either have been openly abandoned during the present session, or otherwise firmly maintained. Lord Althorp has pursued neither of these courses. He has temporised with the timber trade, and has thereby struck a blow at the most active branch of industry, which is connected with the large subject matter both of our navigation and imports, and domestic labor, and building.

It has been nearly the same as regards the wine trade. It is now nearly ten months since alterations in these duties were first proposed; and wisely proposed. The bill is not yet passed, and the stagnation of trade, which commenced from the first notification of the new finance measure, has still continued. If we look into the Gazette we shall find that nearly one hundred wine merchants have become bankrupts since lord Althorp's bill was first broached in the house of commons.

Another large class of commercial men has also suffered from the uncertainty of our financial system—the West India merchants. A promise, as sacred almost as any public pledge could be, had been given to them, to relieve their produce from some portion of taxation; that is, at least from the old war duties. They were completely unnoticed in the last budget, and the consequence has been,—the most severe and appalling failures amongst the merchants concerned in the West India trade.

It is our duty also to add, that from the delay of the chancellor of the exchequer in not bringing forward the usual annual exposition of finance, the money market has been greatly deranged.

Formerly, a reduced price of stocks such as that which has lately taken place, from 92 to 82, was scarcely deemed an evil. It invigorated and revived trade, by the infusion of new capital, and the public securities were only momentarily depressed, in order that the luntholder might pour his treasures into the channels of enterprise,—reviving again, as these securities were sure to do, from the accumulations and increased investments of successful trade.

But this has not been the case in the late fall of stocks. Capital has not been withdrawn for the purpose of active employment, but for the purpose of holding, in order to watch the turn of public affairs and the financial proceedings of the government.

The first thing, therefore, that ministers owe to the public, is a full exposition of the national income and expenditure, and of our actual financial state.

In connection with the rejection of the reform bill, the *London Examiner* of the 9th ult. makes the following statement:—

We have taken some pains to obtain information as to the indications of the state of the public mind, in the metropolis, and the country, in the present crisis. The following are a few of the facts which have come to our knowledge:—

It is known in the city that considerable purchases have recently been made of American stock.

There is reason also to believe that persons have provided themselves with small amounts of gold, and property easily available in emergencies; but great caution is used not to create any alarm, and the purposes are seldom avowed.

At the clubs, and other places of meeting of the trading classes in the metropolis, various plans for the formation of a national guard have been the subject of discussion.

We have been informed that in several districts of the metropolis the tax gatherers have been informed by the inhabitants on whom they have called, that the taxes which they have recently collected would be the last which they would have to receive, unless the reform bill was carried. The districts to which we allude are not those in which a determination has been evinced with reference to the taxes called rates imposed by selected bodies, to act upon the constitutional principle that taxation without representation is illegal—namely, Mary-lebone, St. Pancras, and Islington parishes. We may mention, as an instance of the peaceable and quiet mode in which these determinations will be carried into effect, that the inhabitants of St. Martin's parish, without calling any public meeting, or making any outward demonstration, have refused to pay their last poor rate. The amount which it was expected to produce is, perhaps, £2,000; and of this amount probably not more than £100 has been collected, and that, it is believed, has been paid by those who had not been consulted, and who knew nothing of the determination of other inhabitants to refuse payment.

The *Morning Chronicle* says—If the anti-reformers will not yield to reason, perhaps the following plain facts may strike them. We class them under the two heads of *certain* and *probable* consequences of a rejection of reform. The certain consequences will be—1. A prolonged agitation of this dangerous question for at least six or eight months more; 2. A considerable interruption of important parliamentary business for that time; 3. A state of weakness with regard to our foreign relations; 4. A stagnation of the retail, money, commercial and manufacturing interests; 5. The continued public discussion of fundamental principles of government by opposite classes in a state of angry excitement; 6. A collision at such a moment of the two houses of parliament. None will deny the certainty of the occurrence of such consequences; let our bishops calculate their final results; and then take the probable consequences—1. A partial or general refusal to pay taxes or tithes; 2. A run upon the country banks, the savings banks, the bank of England, and thence upon national credit; 3. A panic; 4. Turnings out of trades—political associations—federalism—resistance; 5. General distress

—dissatisfaction—Swing; 6. A published list of the majority, with their places, pensions, boroughs, and connections; 7. Hatred of peerage—a large creation of peers—depreciation of the peerage; 8. The present bill, with compound interest; 9. A reform bill for the lords. Let those who have sense, and patriotism, and power, canvass these consequences; ask themselves whether they will tend—and then may the Lord direct their understandings.

BRITISH FINANCES.

Extract from lord Althorp's speech in the house of commons.

"Lord Althorp said it was then his intention to state to the house his view of the present expenditure and revenue for the present year. He proposed to do so—first, by stating what the revenue of the year would be; then the expenditure; and lastly, what would be the balance of the account. The mode in which he would arrive at this result, would be by saying what the produce of last year was; what was the difference between last year and the present one, up to the present time; and what would be probably received for the last quarter of this year. The produce of the customs for 1830 amounted to upwards of £17,540,000. A decrease had taken place up to the 25th of September, from the 1st of January, 1831, to the amount of £644,000. This reduced it to £16,896,000. I estimate, continued the noble lord, a further loss of £210,000 in coals. I expect the duties on wine and on raw cottons will occasion an increase of £100,000, making the whole of the present year for the customs £16,786,000. The produce of the excise for 1830 was about eighteen millions. The decrease up to the 24th of September is upwards of one million. The reduction of duties is about one hundred thousand pounds, which only extends from the 24th of September to the end of the year. This reduction made the excise of sixteen millions. There had been received on the stock of wine in hand one hundred and twenty-seven thousand pounds. Altogether, the clear produce of the excise was sixteen millions eight hundred thousand pounds. With respect to the department of the customs, it will be necessary to state what is the amount of taxes that have been reduced, and what effect they have on the revenue. The amount of taxes reduced is altogether three millions three hundred and fifty-seven thousand pounds; and the reduction on the customs made the whole amount to four millions. But the revenue accruing from the customs and excise, which amounted in 1830, to thirty-six millions, will now amount to thirty-three. Thus the decrease, by a fair computation, instead of being four millions, has only been two millions six hundred and thirty-four thousand pounds. It will now be understood that the customs amount to sixteen millions seven hundred and fifty thousand pounds. The excise amounts to sixteen millions eight hundred thousand pounds. The noble lord then proceeded to state that the taxes, stamps and crown lands were fifteen millions and upwards, which made the amount of the whole revenues received, forty-seven millions two hundred and fifty thousand pounds. He now came to the expenditure. At this period government knew better what was more likely to be the expenditure than at any other period of the year. In the early part of the year government were obliged to make up the amount from estimates, but at the present time a very small proportion was made up from them. He could, in consequence, make a statement of the expenditure which might be perfectly relied on. It amounted, up to the 24th of September, to £35,222,641. The expenditure from that time to the end of the year would amount to £11,533,880, thus making the whole expenditure for 1831, £46,756,521. The surplus which would remain after deducting the expenditure from the produce, would be just £493,479. The expenditure, he found, for 1830, was £47,812,000. I have, continued lord Althorp, examined the statements in every way that I can. I am sure I make no exaggeration. I have consulted those in the treasury whom I believed to have had the most experience, and they tell me that I can with confidence rely on the general accuracy of the statements made."

PUBLIC DEBT.

Statement of the public debt of the United States.

Amount redeemed on the 1st Jan. 1831, \$39,123,191 68

Redeemable as follows:

At the pleasure of the government, viz:

Three per cents, \$13,296,397 57

Five per cents, \$4,000,000 00

Four and a half per cents,

after 6 months notice,

part of subscription, to

the bank of the U. S. 1,539,326 16

Unfunded debt, 40,729 80

\$18,876,462 53

After the 1st Dec. 1831:

Four and a half per cents, 5,000,000 00

After the 1st Jan. 1831:

Four and a half per cents, 5,000,000 00

Five per cents, 999,999 13

After the 31st Dec. 1831:

Five per cents, 56,704 77

Four and a half per cents, 2,327,363 97

After the 31st Dec. 1833:

Four and a half per cents, 2,227,363 96

After the 1st Jan. 1835:

Five per cents, 4,725,296 30

\$39,123,191 68

JUDGE CLAYTON OF GEORGIA.

One of the opinions of Judge Clayton, with reference to the affairs of the Indians in Georgia, it will be recollected, was nullified by the late governor Gilmer; and the friends of the latter, having a majority in the legislature, at the recent election of judges, dismissed Mr. Clayton from office,—though he seems regarded as a "Crawford" or "Troup" man, and will probably have the support of that party to fill the seat in congress vacated by the election of Mr. Lumpkin to be governor of the state. This brief introduction seemed necessary to a better understanding of the following—published in consequence, it seems, of his removal from the judgeship.

Milledgeville, Nov. 12th, 1831.

MESSENGERS. EDITORS.—You will confer a favor by publishing the following letter of Chancellor Kent. In making this request, I have only to remark, that the sole consideration for making it is, to submit the testimony of one, in favor of my legal reputation, whose character as a jurist will entitle his evidence to great weight. He is justly considered the Blackstone of America, and his character as a lawyer stands as high in Europe as it does in his own country. He has never been engaged in either party or political struggles, and his whole life has been devoted to legal research. This publication is asked under not the slightest temper of complaint for my late removal from office, for I hope I shall have it in my power, at a more convenient season, to lay before my fellow citizens, such a statement of the whole matter, as will show there is no necessity, on my part, for either all or reproach. Respectfully yours,

A. S. CLAYTON.

New York, Oct. 13, 1831.

DEAR SIR—I was favored yesterday with your letter of the 5th inst. together with the *Southern Recorder* of Sept. 29th, containing your opinion in the case of the *State of Georgia vs. Calisto*.

That opinion has been read by me with great care and attention, and agreeably to your request I submit the conclusions, to which my own mind has arrived, in answer to the two material points in the case.

1. It appears to me that upon the whole, the statute applies to the case. I can only judge from the extracts from it contained in your opinion. The statute asserts that the mines alluded to, are of right the property of Georgia, and it authorizes the governor to take possession of those mines, and to employ force to protect them from all further trespass. I presume such forcible possession has been taken, and that the offence alleged against the Cherokee Indian arose subsequently. But the statute is no exceptionable, in reference to the rights of the Cherokees to their lands, (and which include the mines thereon, as well as the trees and herbage and

stones thereon), under the existing treaties with them, and in reference to the constitution and constitutional authority of the United States, that I agree with you, that such a statute should receive an interpretation, if possible, favorable to constitutional and treaty rights. If such a statute does not apply in very terms, to the very case of a Cherokee Indian digging in the mines, the benign intention would be that the legislature did not intend it, because such an intention would contravene the clear rights of the Cherokees, to the undisturbed use and enjoyment of the lands within their territory, secured to them by treaty.

2. But the better way is not to rest upon any such construction, but to go at once, as you have done, to the great and grave question, which assumes the statute to have intended to deprive the Cherokees without their consent and without purchase, of the use and enjoyment in part at least, of their lands secured to them by national treaties, and which calls into discussion the constitutional validity of the statute.

On this point I am entirely with you, and in my opinion your argument is sound and conclusive, and you have examined the subject with candor and accuracy, and with the freedom of judgment which your station and character dictate.

I am most entirely persuaded that the Cherokee title to the sole use and undisturbed enjoyment of their mines, is as entire and perfect as to any part of their lands, or as to any use of them whatever. The occupancy in perpetuity to them and their posterity, belongs to them of right, and the state of Georgia has no other right in respect to the Indian property in their lands, than the right of pre-emption by fair purchase, no other interest in the lands, as property, belongs to the state, and to take possession of the mines by force, is substituting violence for law and the obligations of treaty contract. It appears to be altogether without any foundation, to apply the common law doctrine of waste to the case, and I cannot but think that the legislature of Georgia would not have passed the statute, if they had duly considered that the Indian lands, have never been claimed, or the occupancy of them, in the most free and absolute manner by the Indians, questioned, either by the royal governments before the American revolution, or by the union, or by any state since, except in open wars, or except the claim was founded upon fair purchase from the Indians themselves. The proceeding of Georgia in this case is an anomaly, and I think it hurts the credit of free and popular governments, and the moral character of our country, and is in direct violation of the constitutional authority of the United States, as manifested by treaties and by statute. I cannot think that the high spirited, free and noble race of men, who compose the citizens of Georgia, would be willing on re-consideration to do any such thing. Yours respectfully,

JAMES KENT.

Hon. A. S. Clayton.

MASONIC.

The following address and resolution were adopted at a meeting of the members of Mount Moriah lodge, and Mount Moriah royal arch chapter, held at the masonic hall in Hagerstown, on Monday evening, November 14, 1831:—

The members of Mount Moriah lodge, No. 83, and Mount Moriah royal arch chapter, being specially convened at the masonic hall, in Hagerstown, Maryland, this 14th day of November, 1831, for the purpose of considering the propriety of surrendering our charter, have upon due deliberation, adopted the following declarations and resolutions:

We declare that the institution of masonry, as we understand it, has for its object, 1. The cultivation and diffusion of charity—not merely in the dispensation of alms, but in the inculcation of a spirit of forgiveness and conciliation towards all mankind. 2. An habitual respect for the Laws; and 3. A deep reverence for the bible and a constant adherence to its sacred precepts. Such are the cardinal principles of masonry, as the same have been imparted to, and recognized by us.

We further declare, that we have never, in the remotest degree, suffered our masonic ties to control, or in any manner to influence us, in the discharge of our po-

legal rights and duties; that in all the political contests which have from time to time agitated our country, we have never supported any man for office because of his being a mason, nor permitted that consideration in any degree, to influence our suffrages; and that in so doing we have acted in strict accordance with the principles of this institution.

We further declare, that as masons we are bound to each other by no tie or obligation, inconsistent with our duty to our God, our country or our neighbors, and that the various speeches, manifestoes, books, and other publications, in which we are exhibited as united by ties and obligations of a different and contrary import, and more especially those publications in which we are represented as bound to support each other whether right or wrong, and to keep each other's secrets, even when they involve the guilt of treason or murder, are untrue and calumnious.

In reference to the case of Morgan, our minds have been variously affected, by the rumors, conjectures and statements, which have been given to the public through the press, and while some of us entertain the opinion that he is still alive, and residing in Canada or some foreign country, others of us believe that he was forcibly and illegally seized and taken to the northern frontiers of the United States, and there murdered, by men calling themselves masons. But we submit it to the liberal judgment of our countrymen, that this was the crime of a few infatuated and deluded men, calling themselves masons, who in its perpetration, violated no less the principles of the masonic institution, than the laws of their country; and that it is both cruel and unchristian to argue that because these misguided men were guilty of murder, all masons are therefore murderers.

The fate of Morgan, naturally aroused the indignation of the people near the scene of his abduction, and there can be no doubt, that the first and principal object of those who espoused his cause, was to bring the offenders to justice. The transaction however was soon seized upon by agitators, and broken down politicians, as a means of political excitement. We have witnessed upon recent occasions the efforts of emissaries and incendiaries, who have been sent amongst us from other states, for the purpose of exciting against us the hatred and ill will of our immediate friends and neighbors. But amidst all the fierceness and fanaticism with which free masons have been assailed and hunted down, in other portions of the union, it has been the proud distinction of the members of this lodge and chapter, to be sustained and supported by the virtue and intelligence of the community in which they reside, a large portion of which, as it is well known to us, are both from principle and education opposed to the masonic institution.

To the agitators of the day we owe nothing, but to the mass of our fellow-citizens, including those whose minds, through the arts and persuasions of the designing, have been poisoned against us, we do owe it, that the existence of this lodge and chapter should no longer continue to be a cause of strife between us. To preserve the peace of society, therefore, from the machinations of bad men, and in token of the high value which we set upon the good opinion of our fellow-citizens, we have

Resolved, That the chapters of this lodge and of the royal arch chapter of this place, be, and the same are hereby surrendered, and that the said lodge and chapter be henceforth discontinued.

ANTI-NULIFICATION.

Judge Smith's letter.

Yorkville, Nov. 9th.

Messrs. Saml. Lewis, David McCalla, Jas. Chestney, jr. Burr H. Head, committee.

Gentlemen—I received in due time your invitation of the 28th ult., "to attend a general meeting of the citizens of Chester district, on Friday next, for the purpose of taking into consideration the present state of public affairs.

I beg leave to assure you, gentlemen, it would afford me great pleasure to do so were it in my power, but circumstances of late occurrence, not within my control, have rendered it out of my power. I owe much to the people of Chester district for their kind patronage dur-

ing my practice at the bar, as well as for their unabated civilities to me at all times since, whenever I have had the pleasure to mingle with them. And could I upon this occasion have found it in my power to attend their deliberations and to have contributed my humble services to the promotion of the public weal, I should be much gratified.

I have great confidence in their prudence and integrity, and I have little doubt but in these moments of peril, they will watch over their portion of the republic with such honest ardor as to save it from harm. When I recollect that some of the revolutionary patriots of '76 are still with you, and yet in the scenes of busy life, I am proud to believe the young and ardent youths, who are rising up as the ornaments of their country, will profit from the examples of those who know from experience the horrors and calamities of intestine war—who have seen neighbor butcher neighbor for no other cause than a difference of political opinions.

There are some forebodings of like events at the present time, which I rejoice to believe are lessening, from the circumsppection of the great mass of honest citizens who live in the country, breathe a purer air, and remain untainted by the pestiferous politics of town and village loungers, who, having little else to do, make a prey of their neighbor's fame to prevent their own from sinking into forgetfulness. I am happy to believe that your village is not embraced in this character. They are all men of business. If you have dissensions, they are of a more honorable cast.

I have thought much recently upon the prospect before us. I believe the doctrine of nullification is retrograding. The great mass of this great community are honest. They are also sensible; and by the blessing of heaven, but little versed in the political intrigues of the day. They seek truth, and if once they are correctly informed, they invariably do justice both to their neighbors and their country. Inform these men correctly, and you have nothing to fear. They love peace, they shun war, unless it be necessary for their own safety or their country's glory—then they will to arms.

Accept my best wishes for your individual happiness, and through you I beg leave to present my thanks to the citizens of Chester district.

WM. SMITH.

GENERAL BLAIR'S LETTER.

Red Oak Camp, Nov. 4th, 1831.

Messrs. Saml. Lewis, David McCalla, Jas. Chestney, jr. and B. H. Head, esqrs. committee.

Gentlemen—I have received by to-day's mail, your polite invitation "to attend a general meeting of the citizens of Chester district, to be held on Friday, the 11th of this month, for the purpose of taking into consideration the present state of public affairs"—and you flatter me by expressing a hope that I may find it convenient to favor the citizens of Chester with my counsel, and assist them in their deliberations on that occasion.

Although I am not so vain as to imagine I could enlighten your highly intelligent community, or aid it in coming to correct results on the subject to which you allude, yet, as I should expect to be a gainer thereby, I would take pleasure in attending if it were possible. But having been confined to bed for near a month past, by a violent bilious attack, and not yet sufficiently recovered to leave my room, you will perceive at once there is no probability that I shall be so far restored by the 11th, as to be able to attend your meeting.

I am highly gratified to find the patriotic and enlightened citizens of Chester disposed to take into consideration the state of public affairs. The time has come when every true heart and sound head should exercise their utmost influence to keep public opinion in the right channel. A dangerous heresy called "nullification," is abroad in our land, and should it be entertained and acted on by our state legislature, (a proceeding expected by many), we have a right to apprehend the worst of consequences. The revenue laws, above all others, are laws that the general government cannot suffer to be trifled with. Money is as necessary to the existence of the body politic as bread and water is to sustain the human body. If South Carolina, remaining in the union, should be permitted by the general gov-

ernment to annul or evade the operation of the revenue laws, every other state would immediately follow the example, and in a short time the federal government would not be able to collect a single dollar for its support. From the very necessity of the case, therefore, the general government, to preserve its own existence, would be compelled to enforce the collection of the duties at all hazards, and by military process if necessary.

We hear much about state sovereignty,—and by some a greater supremacy is claimed for the state than they assign to the general government. Although I contend that the general government is endowed with many more and higher attributes of sovereignty than any state government in the union, yet it is *idle* to claim absolute sovereignty for either federal or state government—that the “sovereignty resides in the people” is the fundamental principle, nay, it is the very foundation of our political theory. The state government is entirely the creature of the people: the federal government was, also, created by the people in their individual and corporate capacities—it was the work of the people and the states conjointly, and partakes of a compound character. In the house of representatives, the popular character is preserved and the people represented—in the senate, the federal feature is maintained and the states represented. The people, however, can alter or abolish either of those governments whenever their interest or happiness requires it. I, therefore, claim for the state of South Carolina the right of seceding from the union upon these principles—but, that she can, even by means of a convention, nullify such laws of congress as she may dislike, and avail herself of those that are calculated for her benefit and protection, is an absurdity I cannot understand. Still less can the legislature exercise the power of nullification. Regarding it as a revolutionary measure, not recognized by the constitution, (according to Mr. McDuffie’s admission), if it could be exercised any where, it must be in a primary assembly of the people,—in convention. But I think I have shown that even a convention cannot exercise this power while the state remains in the union,—and when she withdraws from the union, (should she ever be so mad as to do so), such withdrawal will supercede the necessity of nullification. So that view nullification in any light I can, it appears to me a deformed, incomprehensible monster, incapable of producing any good, but calculated to do evil without measure and without end.

I flatter myself these crude and hasty remarks, (intended, at least, to do good), may be received with all the indulgence due to a mind sympathizing to a great extent with the bodily infirmity of the writer.

Very respectfully, gentlemen, your obedient humble servant,
JAMES BLAIR.

CHIEF JUSTICE MARSHALL.

The venerable chief justice left the city on Saturday morning 19th inst. in the steam boat William Penn, for Baltimore, accompanied by the good wishes of our citizens for his safe return home, and a long and continued enjoyment of uninterrupted health.

Previous to the judge leaving the city, the committee of young men appointed in October last, to wait upon him, presented the following address, which, together with the reply of the judge, have been politely tendered to us for publication. [U. S. Gaz.]

ADDRESS.
Philadelphia, Nov. 17, 1831.

Hon. Judge Marshall,

SIR,—Understanding that you are about to leave this city, permit us to express our regret that your stay cannot be prolonged, while we congratulate you upon your restoration to health, and our country (not less heartily) upon the probability that you will yet, for many years, preserve in full vigour the faculties that have been so long and so successfully employed for the good of your fellow citizens.

As one of the few left among us, in reverence for whom all Americans unite, we have deemed it our duty to assure you of our profound respect and earnest wishes for your future welfare.

Permit us to add,—remembering a kind compliment paid by yourself to the city in which we reside,—that as Philadelphians, we think ourselves entitled to be proud,

that SCIENCE has here wrought what we shall have the approbation of our countrymen in calling an inestimable benefit to the nation.

REPLY.

Philadelphia, Nov. 18, 1831.

GENTLEMEN,—I have received your address on my departure from this place with that sensibility which the partial kindness by which it is dictated ought to inspire.

Permit me to assure you, that the flattering terms in which you convey the pleasure you feel at my restoration to health, have made a deep impression on my heart, and will be cherished as an additional stimulus to those exertions which they reward.

With a full sense of the unremitting attention and feeling which has accompanied the skill to which I am indebted for recovery from a painful disease, I carry with me, from Philadelphia, a profound admiration of the many institutions in your city, which attract the attention of a stranger—institutions founded on the safe basis of utility and virtue, and regulated by that wisdom which ensures permanence and improvement. It is no small additional gratification to believe, that the rising generation inherits the spirit of their fathers, and will be found to advance with the age in which they are.

Be pleased to communicate my grateful thanks to those you represent; and, with my sincere acknowledgments for the kind terms in which you have conveyed their sentiments, to be assured of the good wishes and great respect with which I am, gentlemen,

Your obedient servant, J. MARSHALL.

GOVERNOR BARBOUR.

Barboursville, Nov. 2d, 1831.

SIR,—Mr. Eaton Stanard was so good as to be the bearer of your note to me, enclosing the resolution of sundry citizens deputed by the people opposed to the re-election of Andrew Jackson, to choose a delegate to represent this congressional district in the national republican convention, proposed to be held in Baltimore on the second Monday in next month. By these I learn they have honored me with this appointment. My high respect for those who have appointed me, my entire coincidence of sentiment with them in the object to be effected by the convention, and a conviction that no man can with propriety refuse the portion of duty assigned him by his fellow citizens, in times like these, when “our country is degraded by the tyranny and misrule of the present administration,” are considerations which induce me promptly to accept the appointment.

And it is with sincere pleasure I perceive in these resolutions the tribute so justly paid to the worth of Henry Clay.—Having long served with him in the public councils, and for a portion of the time in a relation to him so intimate as to furnish the best opportunity justly to appreciate his talents and his patriotism, I am happy that I can most sincerely respond to the sentiments expressed by my constituents so flattering to this justly distinguished citizen. With them I shall rejoice to see him elevated to the chief magistracy of the United States—whose duties I am confident he will discharge in a spirit corresponding with that which prevailed in the better days of the republic—and if it is made obvious, which I cannot now anticipate, that our great object can be attained only by the selection of another citizen; then, indeed, as our motto is our country, compared with whose honor and the preservation of her noble institutions, names are nothing, Henry Clay will be abandoned by me without hesitation. It is therefore to me a source of unmixed gratification when I reflect that I shall carry with me into the convention, as well from duty as inclination, the views and wishes of my constituents.

Your fellow citizen, JAMES BARBOUR.
Richard Cuse, esq. secretary.

LETTER FROM JUDGE McLEAN.

From the Hagerstown Mail.

A letter from Judge McLean to a member of the anti-masonic convention.

Nashville, 7th Sept. 1831.

DEAR SIR,—As the time for the meeting of the convention at Baltimore is near, in pursuance of my pro-

mise, I have the honor to address you, on the subject of our conversation at Columbus. There are now three candidates for the presidency before the people. General Jackson, Mr. Clay, and Mr. Calhoun, have all been nominated by their friends, in public meetings and otherwise, and they must consequently be considered as competitors for that distinguished station. The addition of a fourth name to the list of candidates, and especially one as humble as mine, might lead, insofar as any influence could be attached to it, to distract still more the public mind. This I do not wish to see, as I do fear it would be injurious to the best interests of the country.

It, by a multiplication of candidates, an election by the people should be prevented, I should consider it a national misfortune. In the present agitated state of the public mind, an individual who should be elected to the chief magistracy by less than a majority of the votes of the people, could scarcely hope to conduct, successfully, the business of the nation. He should possess in advance the public confidence; and a majority of the suffrages of the people is the only satisfactory evidence of that confidence.

My situation on the bench imposes considerations of prudence and delicacy which do not arise, perhaps, from any other official station.

Whilst no one can deny the right of the people to select their chief magistrates from any of the branches of the government, it would seem that a member of the judiciary should decline the contest, unless the use of his name would be likely to tranquillise the public mind, and advance the prosperity of the country.

Without presuming that my name would be favorably considered by the convention, I have to request that if it should come under consideration, you will make known the reasons why I most respectfully decline the honor of being presented to that respectable body for nomination to the presidency.

I would do injustice to my feelings, if I were not to tender to my friends in the convention my warmest gratitude for their favorable consideration, and to assure them that I shall never cease to cherish the recollection of their good opinion.

With sentiments of the highest regard, I am, dear sir, truly yours,
JOHN MCLEAN.

MR. CLAY AND THE ANTI-MASONS.

From the Lexington, (Ky.) Gazette.

Having casually heard the following correspondence spoken of, and presuming that our readers would take an interest in perusing it, we have requested and procured a copy of it for publication.

Hanover, Ind. Sept. 2, 1831.

Hon. Henry Clay:

SIR—Having been appointed by an anti-masonic meeting in Hanover, Indiana, to open a correspondence with you for the purpose of ascertaining your sentiments with respect to masonry, we take this opportunity of addressing you on the subject. We feel ourselves impelled to this duty, and to the taking of this step, from the consideration that in us is placed a part of the sovereignty of this country; that on us, as constituent parts of this government, depend the perpetuity of our republican institutions, the character and prosperity of our nation, the happiness of its citizens, and the destiny of millions yet unborn. As citizens of this republic we feel it our bounden duty to watch over the destinies of our nation, to guard with studious care our rights, and to detect and exterminate whatever has a tendency to corrupt our republican institutions, or set aside our laws. The subject of free masonry is one which have of late engrossed the attention of the people in many parts of the United States. It is a subject which is of vital importance, and demands the serious attention of every Christian, patriot and republican. What may be your sentiments on this subject, we know not. By some it is affirmed, that you are now a mason of the highest order, and a zealous supporter of the masonic institution; and by others, that though you were once a mason, you have of late abandoned the society and are now opposed to the institution; so that we have been unable as yet to ascertain with certainty your sentiments on this subject. As we are again shortly to be called upon to choose a man to preside over the councils of our nation; as it will

then be our duty and privilege to raise our humble but independent voice in favor of him whom we may deem most worthy of our suffrage; and as you now stand a candidate for a high and important station, as your friends and fellow-citizens, we would solicit from you a frank and candid statement of your sentiments on this subject. We solicit this with the more confidence, because we believe you have always sustained the character of the frank and affable friend, and the faithful and undisguised politician, and that you would scorn to obtain the suffrage of the people by concealing your sentiments. Yours respectfully,

JAMES A. WATSON,
NOBLE BUTLER,
JAMES H. THOMSON.

—
ANSWER.

Ashland, October 8, 1831.

Gentlemen: I hope you will excuse the delay in acknowledging the receipt of your letter of the 2d ult. which has arisen from my absence from home and from various engagements.

Waiving the considerations that I have no knowledge of the existence of an anti-masonic meeting in Hanover, Indiana, other than that which is derived from your letter, nor of your appointment as a committee to correspond with me, other than your statement, nor the satisfaction of a personal acquaintance with you, I will proceed at once to reply to your letter. Its professed object is to ascertain my sentiments on the subject of masonry; and the reason assigned by you for this inquiry is thus stated by yourselves: "As we are again shortly to be called upon to choose a man to preside over the councils of our nation; as it will then be our duty and privilege to raise our humble but independent voice in favor of our suffrage; and as you now stand a candidate for a high and important station, as your friends and fellow-citizens, we would solicit from you a frank and candid statement of your sentiments on this subject."

I do not know a solitary provision in the constitution of the United States which conveys the slightest authority to the general government to interfere, one way or the other, with either masonry or anti-masonry. If, therefore, a president of the U. States, or any other functionary of that government, were to employ his official power to sustain or to abolish, or to advance the interests of masonry or anti-masonry it would be an act of usurpation or tyranny.

You have not called upon me for my opinion upon any great practical measure falling within my scope of federal power; but passing by every question of vital interest, within the sphere of its operation, you demand my sentiments upon a subject with which I humbly conceive it has nothing to do; and you place this demand on the ground of the influence which my sentiments might exert upon the exercise of an undoubted and important privilege which you possess as citizens of the United States.

A compliance on my part, with your demand would amount to an implied admission, that individual sentiments, on the subject of masonry, formed a proper consideration in regulating the exercise of the elective franchise in respect to offices of the federal government. I can make no such admission. I cannot believe that whether I am hostile or friendly to masonry or anti-masonry, is at all material in the formation of any judgment, on the part of my fellow-citizens, concerning my fitness for any office under the government of the United States. That elevated office, to which you allude, should, in my opinion, be filled by one who is capable, unswayed by sectarian feelings or passions, of administering its high duties impartially towards the whole people of the United States, however divided into religious, social, benevolent or literary associations.

Entertaining these views, I have constantly refused to make myself a party to the unhappy contest raging distant from me, in other parts of the union, between masons and anti-masons. Whilst these views remain uncorrected I must adhere to that determination. If, indeed, you gentlemen, will point to the provision in the federal constitution, which can be legitimately made to operate upon the subject in question, I would not hesitate promptly to comply with your request. In the mean-

time, in declining it, I hope you will consider me as not wanting in proper respect to you or to those whom you represent, but as acting from a conviction of the impropriety of blending an alien ingredient with a question, already sufficiently complex; and also from a sense of personal independence. I am with great respect, your obedient servant,

H. CLAY.

Messrs. James A. Watson, Noble Butler, James H. Thomson.

MR. CLAY IN INDIANA.

Reception of Mr. Clay at Terre Haute.

The intelligence having reached Terre Haute that Mr. Clay had passed up through Illinois to his farm in that state, about twenty miles distant from this town, on the day succeeding, a deputation of citizens of the county of Vigo was sent to wait upon him there, and invite him to Terre Haute. In pursuance of their invitation, on the 28th ult. Mr. Clay visited Terre Haute, escorted into town by a cavalcade of about two hundred citizens, and took lodgings at the hotel of Capt. Jas. Wasson. Immediately after his arrival, he received the citizens who thronged to see, and to be introduced to him; and after an intercourse which appeared to be highly gratifying to them, he was waited upon by the committee in behalf of the town and its vicinity. The following is the correspondence between them:

Terre Haute, Oct. 28th, 1831.

To the hon. Henry Clay.

SIR: Being appointed, by the citizens of Terre Haute and its vicinity, a committee for this purpose, we have to perform the highly acceptable office of addressing you in their behalf. We assure you, sir, of the lively gratification generally felt at your presence amongst us—we tender you the homage of our respect and esteem, and beg you to believe that you are received by all with a heartfelt welcome. Indeed the scene which now presents itself to you renders unnecessary these expressions. You behold our citizens assembled in an immense multitude to greet you at the very moment of your arrival, and by their looks and salutations you have a full assurance of their feelings. The national colors, floating from the flag-staff of our town, and the continued roar of artillery, announce to all that we consider your visit a cause for more than ordinary rejoicing, and that we have declared this day to be one of public congratulation and festivity. We cannot forget the benefits which you have rendered the west, whilst engaged in the national councils, both in congress and the cabinet—your successful efforts in Europe to secure to your country an honorable peace—your eloquence in behalf of the oppressed of South America—your introduction and support of a system of internal improvements and domestic manufactures, so well calculated to secure the real independence of the country, and to all parts of it equal benefits—our national character likewise, elevated as it is in both hemispheres, so that an American citizen is laden with pleasure in every land—for this we consider ourselves, in a great measure, indebted to your splendid career. But, sir, whatever may be your claims, we well know that in these times of political revolution and party violence, none can predict with certainty. It may be your destiny to fill the highest office in the gift of your countrymen—it may be that the Laurel will entwine the brow of some more fortunate competitor; but, should the issue of the contest be against you, we shall still look to your well-tried patriotism, which has never suffered any abatement of its vigor and zeal amidst all your trials, and shall expect of you that, whenever and wherever you may be useful, you will persevere in sustaining the prosperity and honor of the republic. Having seen your answer to the citizens of Vincennes upon the subject of a public dinner, we should expose our motives to suspicion, if we were now to tender you a similar compliment as further evidence of our respect and attachment.

We have the honor to be, sir, with great respect, your obedient servants,

E. U. BROWN,
RUSSELL ROSS,
WM. WINES,
H. I. GILMAN, Jr.
C. GILBERT,
SAMUEL CRAWFORD.

MR. CLAY'S REPLY.

Terre Haute, 28th Oct. 1831.

GENTLEMEN: I thank you most cordially, and the citizens of this town, for the sentiments, in their name, which you have expressed towards me, and for the lively manifestations of joy and felicitation of which my arrival among you has been the occasion. They abundantly assure me that I am in the midst of ardent and partial friends, and have made a grateful impression on my heart, which will long remain. Whilst I am sensible, gentlemen, that your kindness has greatly magnified the importance of my public services, I feel the proud consciousness of having strove, in every station in which I have been placed, honestly and faithfully to discharge my duty, and it is highly gratifying to me to witness, in the general prosperity of all parts of the country, evidences of the wisdom of the policy which congress has so long pursued. In this remote point, more than eight hundred miles from the capitol of the union, it is impossible not to recognise the emanating tendency of that national road, which, in the progress of its construction, has already reached your town, and passed on still further west.

Who can be on any part of this great road without feeling that its physical connection increases much the strength of the moral and political ties which happily bind us together? We have only to persevere in our American System, relieving consumption, alter the payment of the public debt, as much as possible consistently with an economical administration of the government, without impairing the principle of protection, to be assured of continued prosperity. I am greatly obliged by your kind assurance of confidence and friendship, in any future contingency that awaits me.—Whatever it may be, gentlemen, I shall anxiously endeavour to fulfil every duty I may owe to my country. I pray you, gentlemen, to communicate to my fellow citizens of Terre Haute and its vicinity my profound acknowledgments as well for the testimonies of esteem with which they have actually honored my presence, as for that which they have been restrained from offering by a delicate respect for my resolution announced at Vincennes, and I beg you and them to accept of the best wishes of

Your friend and obedient serv't.

H. CLAY.

DUTY ON IRON.

NEW YORK SUPERIOR COURT,—Nov. 19, 1831.

From the New York Journal of Commerce.

Moses H. Grumell, and others vs. Before his honor judge Samuel Swartwout.

D. Lord, jr. esq. opened the cause by stating that it was an action brought to recover an excess of duty paid on old iron imported from London in April last, in the ship Columbia. It was entered at the custom house as old iron, and the duty was tendered at the rate of 15 per cent. ad valorem; it being an "unenumerated article." The collector called it scrap iron, and demanded a duty accordingly, which was paid. If scrap iron, the duty would be 62½ cts. per 112 lbs and amount to \$1,132 78. If old iron, 15 per cent. ad valorem 368 58

Leaving plaintiff's claim

\$764 20

By the tariff of April 27, 1816, the duty on all articles not specified, was levied at 15 per cent. ad valorem. Old iron is not specified. By the act passed May 19, 1828, the duty on pig iron was altered to 62½ cts. per 112 lbs. and the same duty was imposed on scrap iron by the law of 1830, (page 105) by a clause in a law relative to iron plates for rail roads.

The question for the jury is, whether this was old iron or scrap iron.

James N. Matthews, sworn for plaintiffs, testified that he is the custom house clerk of Fish, Grumell & Co. An invoice of the iron was received in April last. Prepare an entry for it, and made the entry at custom house. The invoice was presented at the time.—Mr. Swartwout the collector, wrote on the invoice, "appraisers to return whether old or scrap iron, S. S." Mr. Jacques, an officer at the custom house, wrote in the margin of the invoice after examining the iron, "old iron, T. J." Mr. Mo' an appraiser, endorsed on the invoice, "passed as o.

iron." A tender was made to the cashier of \$368 58, who refused it, and exacted \$1,132 78; and refused to give up the property unless this sum should be paid.—Mr. Grinnell paid it, and at the time told him he should bring a suit to try the question.

Nathaniel L. Griswold, for plaintiffs, testified that he saw the iron, as he supposed, on board a ship lying at the foot of Pine-st.—The greater part was old iron. Old iron is any old article that was formerly manufactured for use, as an axe or hoe, and worn out. It is heated to a white heat, and then rolled into bars; also old iron from wrecks. Scrap iron consists of pieces of iron left from the end of bars or bolts that have been nearly worked up.—The pieces are put together, and beat out with a trip hammer, and rolled into bars.

Preserved Fish, for plaintiffs, testified that he saw the iron in the ship's hold. It was all old iron that he saw. There might have been scrap also, but he did not see it. Witness knows the article from long acquaintance with it. Cast-off articles that have been manufactured for use and worn out, are called old iron.

Pieces that have been left from bars and not fit for use, are called scrap iron.

The plaintiffs here rested.

Jas. A. Hamilton, esq. for defendant, moved for a nonsuit, on the ground that the collector is not liable to be sued, as he is acting in the course of his duty under the instructions of the treasury department; and as he had paid over the sum received, or was bound to pay it over immediately.

The court denied the motion.

He opened the case by stating that the invoice was untrue, there being scrap iron on board which was not mentioned. He then stated the proof he intended to offer, which was, that by the 9th section of the act of May 28, 1830, "scrap iron" was charged with the same duty as pig iron, which was subject to a specific duty of 62½ cents per 112 lbs. by the act of 1828. That old iron was not known to the import laws. That he would prove that the article imported by the plaintiffs and denominated in the invoice and entry as "old iron" was "scrap iron," and so known by the manufacturer and others; and that "old iron" and "scrap iron" were synonymous terms. That this importation could not come under the denomination of non-enumerated articles, because if it was correct that old iron were old manufactured articles, they came within the 5th article of the 1st section of the act of May, 1828, being manufactured articles made of iron, and therefore chargeable with a duty of 25 per cent. ad valorem.

David S. Lyon, deputy collector, sworn for defendant, —defendant offered instructions from the treasury department of March 25, 1831, given to collector. They were objected to by plaintiff, as no evidence of any fact, nor any authority in law, and excluded by the court.

Mr. Lyon testified that the invoice was sent to the appraisers for examination, and they passed it as old iron. A permit was given to land it. The permit was filled up as "a quantity of old iron," over his signature. He wrote "scrap," and endorsed on it a request that the inspector should examine it and report the kind. Mr. De Camp reported it as scrap iron.

The weigh master's return distinguished that part of the importation, which was new bar and bolt iron in pieces from 5 inches to 3 feet long, from the other parts.

John De Camp, sworn for defendants, is an inspector at the custom house; carried on the iron business in New Jersey upwards of 30 years. Examined the iron on board the Columbia. The iron was separated by his orders. Part was new bar or bolt iron, from 5 inches to 3 feet long. The rest, old hoes, old spades, crow-bars, &c. which he has always heard denominated scrap iron. It is as good to melt as the pieces that are cut off from the bars. On being asked by a juror to describe old iron, he replied that he could not.

Cross examined.—Could not say there were half a dozen pieces 3 feet long. An old anchor, or iron from a wreck, he should call scrap iron. His reason for giving it that name is, that it is as good to melt as any iron; and is so generally understood to be, and denominated, by manufacturers.

Nicholas Saltus, sworn for defendant, has been in the iron business 25 years. He considers the iron in ques-

tion scrap iron.—There are two descriptions of scrap iron; one is called cast scrap, the other wrought scrap. The first consists of broken pieces of castings, whether old or new. The second, of pieces of metal used to make bar iron, and old articles if made of wrought iron. Both would require melting to be useful. Old articles used or broken, and wreck iron, would come under the denomination of scrap iron.

Cross examination.—Never knew of an article of commerce denominated old iron. The specimens produced in court, and now shown to witnesses, are all scrap iron; and so generally known.

Wm. Van Buren, sworn for defendant, is an officer of the customs. Was the inspector of the ship, and delivered the cargo in question. Selected all that he considered as ends of new iron from 5 inches to 3 feet long; but few pieces of the latter length. There were 4 tons 6 cwt. of this description, which he did not pass as old or refuse iron, as he considered it would be applied to blacksmith's use. This included a bar which weighed a cwt.

Cross examined.—This bar he supposes to have been an old shaft that had been used; the remainder he considered refuse iron. He never called it old iron. There are different opinions as to the name, some call it old; some scrap.

Daniel Ayres, sworn for defendant, has been acquainted with the iron business as a manufacturer, a number of years. He considers scrap iron and old iron to be synonymous terms. All old iron is considered scrap iron, by the trade generally.

Cross examined.—Is engaged in the business as seller and manufacturer; has known the old rubbish purchased about the streets called old iron. The price of old and scrap iron is the same. He should call an old anchor scrap iron.

William Kemble, sworn for defendant, has been engaged extensively for some years in the iron business. They use in their establishment but one phrase to denominate iron of the description in question, viz. scrap iron. There is a part of their yard appropriated for the ends of bars and old machinery, and old manufactured articles, and they call it the scrap heap.

Cross examined.—The popular name for old articles is old iron. Manufacturers would call it scrap iron. Does not know the term merchants affix. In his scrap heap the new iron predominates.

The defendant here rested.

The plaintiffs called Mr. Fish again, who testified that as a merchant he had known the article of old iron by that name, ever since he had been one. In commerce this name is perfectly familiar. The term scrap iron is seldom used. Old iron is an article of very considerable commerce.

Mr. Griswold, recalled for plaintiffs, has been a merchant in New York 36 years. Has known the article of old iron by that name ever since he has known any thing. The name is as settled and definite in commerce as that of any other article.

John Barstow, sworn for plaintiffs. Has been a merchant about 20 years. Has always heard of old iron in commerce, and always conceived the term to designate worn out articles that had been manufactured for use. He was brought up in the neighborhood of a manufactory, and they called it all scrap iron. Has not seen much of the old iron imported, till within the last 4 years. Merchants call the iron that we see lying about the docks, old iron.

Anson G. Phelps, sworn for plaintiffs. Has been a merchant 17 years. Has often seen old iron advertised, and has dealt in it a little. He should call pieces of iron that had been cut off from the ends of bars, scrap iron. All second hand articles, he should call old iron. Manufacturers include both kinds under the denomination of scrap. Merchants make the difference, and call the one scrap, the other old. In the manufacture of it he should say there would be more waste in the old than the new, and a corresponding difference in the value.

Samuel T. Tisdale, sworn for plaintiffs. Has known the iron trade about 7 years. Has frequently heard the name old iron applied to old articles in commerce. Has frequently purchased it for a factory, and the bills are always made out as old iron. Does not recollect pur-

chasing a bill of iron, as scrap iron. Pieces of new iron from work shops he should call scrap iron. He saw the lot on board the Columbia. It was old iron. The pieces of iron on the heap at the door of a work shop, for railroad plates, would be scrap iron.

Cross exam. Saw it in bulk, and when it was out of the ship. He had previously purchased a lot of F. & H. Grinnell & Co. of about 60 tons. He bought it as old iron. There were a few pieces of scrap in it.

Josiah L. James, sworn for the plaintiffs. Has been acquainted with the iron trade for 13 years. Has heard of old iron in commerce. The name is perfectly notorious, and means all manufactured articles that have been used and abandoned. He has also heard of scrap iron in commerce. Ends of bars, and trimmings from the workshop, that are he should call scraps.

The parties both rested.

Mr. Hamilton, for the defendant, referred to the act of May 22, 1824, to show that no such article was known in the tariff as old iron, and that if it was not included in the denomination of scrap iron, it must pay duty as a manufactured article; as the law makes no difference between an old and a new article. He also contended that the quantity of 4 tons 6 cwt. must pay a duty of 90 cents under the act of 1829, as it was new bar iron, and so admitted to be by the plaintiffs and proved by the witnesses. The law made no difference between long and short bars. He also cited the 9th sec. of the act of 1830, which subjects scrap iron to a duty of 62½ cts. per 112 lbs. and contended that it was under this section that old iron was meant to be included. In support of this position, he remarked that the law intended to cover the whole matter; that as it had described every form iron could take without mentioning old iron, it was reasonable to suppose that they included it under the denomination of scrap iron. He also remarked that the law was intended to encourage and support manufacturers and the terms would therefore be received from them; and as they included both kinds under the one denomination of scrap, congress intended to include it under the same denomination. He insisted that if the plaintiffs had acted in good faith in the matter, and he believed they had, they must have considered the terms synonymous, or they could not have taken the oath that a quantity of iron containing old iron and scrap iron was old iron; and that if the jury believed the terms synonymous, the law was broad enough to cover both under the one denomination of scrap. He further insisted that from the testimony of the witnesses examined before them, and particularly those best acquainted with the subject, they must believe that this importation was scrap iron, and therefore the duty was properly demanded.

Mr. Lord, for the plaintiffs, contended that the words of the act are to be taken in their popular meaning, unless they have acquired a technical meaning well settled in commerce or in art. The popular meaning of the words was very obvious. If they have acquired a peculiar meaning in commerce, and in the arts also, then the commercial meaning must apply;—as the duties are to be paid by merchants, and the article imported by them—the orders for it given by them; and they are to make the entries of the merchandise. If the act is intended to protect manufacturers, then it must be construed restrictively or strictly; as the rule is well settled that where a law is intended for a particular interval, it must receive a strict construction, since it is against common right. We must look to the context for the meaning of a law. The act of 1830, was in relation to railroad iron; and under the denomination of scrap must be deemed to have meant to include the punchings and ends of bars, and iron of a similar description; and therefore had no reference to old worn out articles.

That it was in proof, that scrap iron and old iron were both terms of commerce, and meaning different things; and if so, then, although scrap iron with the manufacturer might include this kind, yet they were to determine which commercial or mercantile term would apply to it.

His honor judge Oakley, charged the jury in substance, that the case was one of importance for the principle involved in it, and that as the article was one of considerable trade, and the government was a party, the jury would use due care in the investigation of it. It

seemed to be by the parties conceded, that by the law of 1816 the article in question would be subject to an ad valorem duty of 15 per cent, unless it is a manufactured article, or unless it is considered "scrap iron" within the meaning of the law of 1830. It seems clear that it cannot come within the first description, as the law meant to include articles intended for and capable of being used as manufactured articles, and not articles worn out. That the main question was, whether the act of congress in 1830 includes this iron under the denomination of "scrap iron." In construing every law, reference must be had to the subject matter it intends to control. The tariff laws are frequently called laws of protection to the manufacturer, but legally speaking, they are commercial regulations, and in judging of their meaning, we must look to the commercial sense of their language. The jury must therefore determine from the evidence before them, whether at the time of the passage of the act of 1830, the words "scrap iron" had acquired a distinct and certain meaning in trade and commerce; and whether according to such meaning, it included the article in question. If they should find that the words "scrap iron" are well and generally understood among merchants, as indicating a different kind of iron, from "old iron," and that the article in question fell within the latter denomination, then they ought to find their verdict for the plaintiffs.

The jury found for the plaintiffs, for the amount of the excess of the duty on the quantity of old iron, subject to adjustment by D. S. Lyon, esq.

MORE OF THE CONTROVERSY.

FROM THE NASHVILLE BANNER.

To the public.

After the notice of me and of a letter written by me, and published in the United States' Telegraph of the 19th of August last, taken by the late secretary of war, in his "Candid appeal to the American people," I deem it unnecessary to offer an apology, for what I shall say in reply to so much of said appeal as relates to myself.

Major Eaton charges me with volunteering "a statement to vindicate the course of Mr. Calhoun," towards him. From the time gen. Jackson was put in nomination for the presidency, I was his warm personal and political friend. When I went on to congress in 1827, I became acquainted with Mr. Calhoun, and found him to be a man, as I believed, of the strictest honor, honesty and patriotism, and withal, possessing the highest order of talents—qualities well calculated to attach me to him; but what above all at that time more closely attached me to him, was the cordial and liberal support which he and his friends gave general Jackson, during Mr. Adams's administration. When I saw an attempt, as I believed, made by Mr. Eaton and his friends to sacrifice such a man, I did volunteer, if possible, an honorable man from unjust aspersions. Another reason, if an additional one, could be required by a candid and enlightened community from "volunteering" was that I believed major Eaton and his friends had attempted to delude and mislead the American people, as to the true cause of the dissolution of the late cabinet. I have always been in favor of calling things by their proper names, and attributing effects to their true causes. Major Eaton says it is "strange indeed, that a man should prepare a letter intended for the press, and to affect other persons, and afterwards admit it to be incorrect, and offer as matter of excuse, that he did not read it after writing it." It is a little more strange that the late secretary of war should be so astonished, at my having written a letter for publication without revising or reading the same over, when it is recollected that this same secretary, after he had made his first report to the congress of the United States and a copy of the same had been laid upon each member's table, actually withdrew it, and laid upon the suggestion of some of his friends was such a document as would and ought to disgrace the head of so distinguished a station as he then held, and at that late period undertook with the advice and assistance of his friends, to revise, correct and new model the same. Major Eaton states that the corrective letter was written by me, after some of my friends at Washington had informed me that he had it in his power to correct it by the most indisputable testimony. "This charge of mine is positively false, for I never received any letter or information from Washington upon the subject before I wrote the letter correcting the error, which I had unintentionally made in my first, nor have I yet received any letter or information from Washington upon that subject, other than what I have received from the major's candid appeal. I was at the post office at Capt. Haynie's when the Telegraph containing my first letter came to hand, and was handed me by Capt. Haynie, (whose certificate is here appended.) Before I had got through reading the letter, I pointed out to Capt. Haynie, that either the printer or myself had made a mistake, that I held the conversation with major Eaton in Washington city, and not in Tennessee. Either that day, or the day following, I saw Dr. James A. Blackmore, informed him of the mistake, or rather the printer or myself, and requested him, to have it corrected in the Gallatin Journal, a paper published in Gallatin; which he did, as appears from his certificate here appended. In a day or two I wrote to the editor of the Telegraph the corrective letter. Thus it will be seen that I availed myself

of the first opportunity, and before I could have received the information from Washington of which the major speaks, to correct an unintentional error into which I had fallen. It will also be seen that this distinguished secretary takes upon himself to charge expressly that I had received information from Washington, &c. &c. without any, the slightest evidence to warrant him in so doing, and directly contrary to the truth. Major Eaton says, "the general has not gotten his story right yet." He still adheres to the point that I was in Tennessee when I heard of the death of Mr. T. and that gen. Jackson advised me to marry." &c.

I do not know when or where major Eaton may have heard of Mr. Timberlake's death. He may have heard of it in the spring of 1828, while boarding at Mr. O'Neal's, his now-later-in-law, as he and Mr. Nicklin state, and it may have been from Washington, in November, that he informed general Jackson of his intentions as to Mrs. Timberlake, and of which the general approved—but I well recollect the reason why I held the conversation with major Eaton to which allusion is made in my letter, and what the major said to me on that occasion. Some short time after my arrival in Washington in 1828, I understood that major Eaton intended marrying Mrs. Timberlake: I was then and had been the warm personal and political friend of major Eaton, and being exceedingly solicitous for the success of gen. Jackson's administration, and from the various reports which were in circulation respecting Mrs. Timberlake, believing that a union between her and major Eaton, who was intimately connected with gen. Jackson, would necessarily present obstacles and difficulties to the successful operations of his administration. I suggested to Judge White, the colleague of major Eaton in the senate, and to the representatives from Tennessee, the propriety of some one or all of us, as the friends of major Eaton and general Jackson, talking with Mrs. Timberlake, endeavoring to dissuade him from the expected marriage. I then suggested to Judge White as he was the oldest man, the propriety of his talking with Eaton on the subject. He said he was unwilling to do so, and he thought if I did, I should, in all probability incur Eaton's displeasure so long as I lived. I then told him, that I felt it to be my duty as the friend of Eaton and Jackson, and one of the representatives of Tennessee, and that I was resolved to do it, let the consequences be what they might—I accordingly went to the capitol, and invited major Eaton out of the senate chamber into a back room, where I told him that he knew that I was and had been his warm personal and political friend, which he admitted; I then told him that what I had to say to him, I was induced to say from the kindest and best of motives—I told him I had understood he intended marrying Mrs. Timberlake. He admitted he did. I then told him frankly and candidly all I had understood and heard in relation to her, (which I deem it unnecessary to relate here, but which the major can state if he thinks proper), and then suggested to him the difficulties which his marriage with Mrs. Timberlake would, probably, throw in the way of gen. Jackson's successful administration of the government, and that from the opinions entertained of her in and about Washington, gen. Jackson might be compelled to abandon or give him up. Eaton replied, that if any body supposed Jackson would abandon him on account of his marrying Mrs. Timberlake, they were very much mistaken; for that in Tennessee, where he heard of the death of Timberlake, he determined to go to Washington, and marry Mrs. Timberlake, and that he communicated his intention to gen. Jackson who approved of it. As I have before stated, I do not know when or where major Eaton heard of the death of Timberlake, but I am positive that the above is the language used by him in the conversation between him and myself. Maj. Eaton says "the purpose of this statement [alluding to the statement about his going to Washington to marry Mrs. Timberlake, &c.] is evidently that the major should infer that I had in Tennessee, immediately on hearing of the death of Mr. Timberlake, determine to come on to Washington, not to address, but of my own will to marry his widow; leave it to be inferred, that I was not only conscious of a state of circumstances, which made it unnecessary to consult her upon the subject, but that general Jackson was also aware that such was the case."

The major has to some extent misconceived the purpose of my statement; it was not altogether for the purpose of having the inferences drawn which he charges, but to show that major Eaton and the president had been advised of the probable difficulties which the marriage between him, (Eaton), and Mrs. Timberlake would create, and that they had taken place according to my apprehension. If he now states, as he does, that all the friends of the major has said himself as to the time he heard of Timberlake's death, when he left the city, for Tennessee, and when he returned in November, and in a few days advised general Jackson, by letter, of his intention in relation to Mrs. Timberlake, the inference might be drawn that the major "was conscious of such a state of circumstances" as made him, if he addressed her before he left the city in the spring, lay aside all delicacy and address her, which are usually observed, and he must have addressed her while her mourning weeds were fresh upon her, or if he addressed her after he returned to Washington in November, the match must have been easily made, for very few days indeed could have elapsed between the major's arrival in the city, and the writing of his letter to gen. Jackson. So that I think it is as likely that inferencers prejudicial to the major will be drawn from his own showing, as from my statement.

Major Eaton and his friends have labored much to show that there was a meeting of the friends of Mr. Calhoun, the object of which was to drive him from the cabinet, and in speaking of me he uses the following language: "Gen. Desha also says there was no meeting at the last session of congress, with a view to obtain my removal from the cabinet. It has not been so ascertained. He will not say though, that this was not the case at the session of 1829-30." In reply to this paragraph, I can speak with certainty, when I say that I did not attend any meeting, either at the session

of 1829-30, or at any other session, the object of which was to obtain his removal, neither do I have any such meeting was held. During this session of 1829-30, the friends of the president found great and almost insurmountable difficulties in getting any of his important measures through the house; this difficulty, his warm, personal and political friends beheld to arise from the want of harmony and co-operation among the heads of departments. They believed that there was not that concert in the cabinet which was indispensably necessary to the success of the administration. They believed this want of concert was attributable in some degree to the president's too frequent cabinet meetings or councils, as his predecessors had usually done, and thereby engaging the different members of his cabinet, in favor of his measures. This unfortunate state of affairs was frequently the subject of conversation and regret among the warmest of gen. Jackson's friends; men whose attachment to the president and his administration has never been questioned, and who would never by any man who was not regardless of the principles both of truth and justice. Some time during the session of 1829-30, Mr. Wickliffe of Kentucky, called one evening after dark at the room of Mr. Daniel of Kentucky and myself, and requested us to walk over to the room of Judge Bibb, which is a side, and when we arrived, we found there Judge Bibb of Kentucky, Judge White, Mr. Grundy and Col. Polk of Tennessee, and gen. Overton of Louisiana. Mr. Wickliffe then suggested the object he had in view in getting us together.—Knowing us to be the warm friends of the president, he said his object was that some of us should be sent to the president to tell him frankly and candidly the state of affairs, and to try to prevail upon him to hold cabinet meetings, or councils, in order to produce harmony if possible among the heads of the different departments, and if this could not be done, to try and produce concert and co-operation among them and their friends, carrying the important measures recommended by the president through the house. After an interchange of ideas and opinions, Judge Bibb, who was the warm and long tried friend of gen. Jackson, was selected as the person to make the communication to him. It was believed by most of the persons present at that meeting, that major Eaton's being in the cabinet was the cause of most of the difficulties. I do not however know that this opinion was entertained by all.

Who but major Eaton and his partisans would have had the temerity to charge Judge White, Judge Bibb, col. Polk, and others who attended that meeting with being the partisans of Mr. Calhoun? Are not these men the well known and long tried friends of the president? Is not Judge Bibb one of his oldest friends in Kentucky? Did he not hoist the Jackson flag in that state at an early day in opposition to that of Henry Clay? Yet to answer the purposes of major Eaton, such men as these are to be held up to the American people and denounced as the tools and partisans of Mr. Calhoun.

I think what I have here stated will satisfy the community, and perhaps even major Eaton himself, that I had not fallen into such mistakes as he was willing to induce them to believe.

ROBERT DESHA.

P. S. The United States Telegraph, Gallatin Journal and other papers which have published major Eaton's "Candid Appeal," will do me an act of justice by publishing this communication.

I certify that Robert Desha was at my house, (Green Garden post office), immediately after the United States Telegraph arrived at the office, containing a letter of his to the editor of this paper. Which letter, major Eaton has noticed in his late appeal to the people of the United States. When I handed the paper to Desha, he read the letter, and before he had done, remarked there was a mistake. He did not intend it to be understood that he had even had a conversation with major Eaton, in relation to his intended wife, Mrs. Timberlake, in Tennessee; that he himself or the editor of the paper had omitted some words. That it was in the conversation he had in the city of Washington with major Eaton, that he (Eaton) had said that when he was in Tennessee and heard of the death of Timberlake, he determined on marrying his widow, and communicated that intention to gen. Jackson, who advised him to do so.

I am satisfied that Desha had not seen the said letter published before he saw it at my house, and that there was not time for him to receive a letter from "some friend in the city," (as stated by major Eaton), informing him of his mistake. Desha, before he left my house, commenced writing a letter to the editor of the Telegraph, correcting the mistake he had made in said published letter.

JESSE HAYNE.

Being requested by gen. R. Desha to state a conversation that he had with me upon the subject of a letter written by him to the editor of the Telegraph and published in that paper, which letter major Eaton has noticed in his late appeal, (the letter was left in his hands at gen. Desha's residence on the morning after the Telegraph containing said letter reached here. He stated to me that he never intended to convey the idea that he had a conversation with major Eaton in Tennessee, upon the subject of his marrying Mrs. Timberlake; but that the conversation he alluded to was held in Washington; in which major Eaton stated his determination to marry Mrs. Timberlake, and that he was advised by the president upon the subject, who approved of his determination.—The general said the error had originated from the hasty manner in which the letter was written, or from the printer having omitted some words; he requested me on my return to town to have it corrected in the Gallatin Journal, which I did. Gen. Desha could not have received any communication upon the subject from Washington apprising him of the error prior to the above conversation as intimated by major Eaton.

J. A. BLACKMORE.

Gallatin, October 29th, 1831.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 14—Vol. V. BALTIMORE, DEC. 10, 1831. [Vol. XLI. Whole No. 1,035

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The sudden and excessive cold—some weeks in advance of its usual season—has interrupted travelling by water between New York and Baltimore, &c. and caused much embarrassment and difficulty in the concerns of the people generally; who had made no calculation on such a state of things.

☞ The rule that has always prevailed in the management of this work, has excluded much matter on general or miscellaneous subjects, the present week—and must have such effect for some time to come, that important public documents may be laid before our readers—among them is an article of considerable length, founded upon a statement in a late London paper as to the wages and subsistence of the working classes in England, and the desire of many in the United States that the labor of our citizens should be brought into competition with that of potato-fidd Englishmen. I have "hauled the subject without gloves," and feel disposed never to put them on until the *sordid and monopolizing crop of multifacutors* feel willing that others should live as well as themselves—and are ready to confess that others have rights as well as growers of cotton.

☞ The president's message will be found in subsequent pages. It has not been our custom to make many remarks on such papers, though some parts may have invited criticism. We shall however, observe, that the document is chiefly made up of *foreign affairs*, and extensively partakes of an injurious error, (as we esteem it), into which many distinguished individuals of the United States have fallen—by which affairs at home are rather thrown into the background. Indemnity for spoliation on our commerce, certainly, should be sought and obtained; and we heartily wish success in every effort respecting them—but the manufacture of buttons, perhaps, in the United States has a greater annual value than our claims against Naples,—and those of wooden clocks, mouse-traps, hob nails and fine-toothed combs, produce a larger yearly amount than will be received of either Sweden or Denmark.

The president's message was brought to Baltimore in two hours, for the use of the editors in this city.

☞ We have also received, with unusual promptitude, the annual report of the secretary of the treasury. It is an able and intelligent paper. It shows a great degree of "financial prosperity," on account of the excessive importation of foreign goods—which has earned so much distress into the "wool-y market,"—and, if not speedily relieved by some *lucky* recurrence, will cause the loss of uncounted millions, in the diminished value of all sorts of property, and ruin thousands of worthy men. The secretary speaks of the bank of the United States in very friendly terms, and suggests that it should be re-chartered, with some "modifications"—which, though not mentioned, do not seem to be regarded by him as important changes in its present constitution. We shall have the pleasure to present this important exposition next week, and, perhaps, also the long, but interesting, report of the secretary of war—which waits an insertion.

The means that we have to lay important papers before our readers, shall be liberally used.

☞ The report of the committee of the New York convention of the friends of domestic industry, on iron, is now published, and in its course of distribution. If the facts stated do not make "some folks" feel a "little red," we have an incorrect estimate of the force of truth—or exceedingly mistake the character of persons who ought to be regarded "honorable men"—not, by any means, including the *tools* that have been put forward on certain occasions, with reference to this most

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important manufacture. They cannot feel "red"—their nature pays us such homage to truth.

☞ The "Frederick Herald" has a well-prepared account of the celebration which took place in that city last week, because of the opening of the rail road, which now links Baltimore and Frederick so closely together—and this celebration was, also, a very happy linking of the hearts of the people. The editor, though invited, could not attend—but begs leave to render his thanks for that compliment paid, as well as to express his gratitude because that he was, in the "flowing cup" kindly remembered. He will endeavor to preserve an account of this celebration.

IT WON'T DO! One editor in the west accuses another with being in favor of "Mr. Niles for president!" "I take this opportunity" to let Mr. Thomas Ritchie know, that I am not a candidate!

By the bye—it has happened just as I expected! No sooner did Mr. Ritchie understand that I had not time to discuss the tariff question with him, than he enlarged his paper!!! Here's a "crisis"—"*nous venons*"—and "*obsta principis*."

THE TARIFF. There are various projects and speculations concerning a modification of the tariff. We fear that the friends of the "American system" have, in some cases, too easily fallen into the schemes of its opponents. "Caution is the parent of security." Let time be allowed for full reflection—for the subject is one of vital importance.

We see an idea thrown out that Mr. Clay is prepared to make a "compromise upon the tariff of 1816." We have no information on this subject other than what we see in the newspapers—but a recession to the tariff of 1816, would, indeed, "*break down the iron arch*;" and we venture to assert that neither Mr. Clay, nor general Jackson, nor both together, can make such a "compromise."

"FREE TRADE" FLOUR! The present British duty on American flour is 14s. 10d. or only about three dollars and sixty cents per barrel, including the rate of exchange. This is a fine specimen of "free trade." We submit it to the "philosophers," if any there are among the growers of wheat in the United States.

A CURIOSITY. A friend has placed in my hands "The Calcutta Gazette and Daily Advertiser" of 27th May, 1831—which, among other widely displayed advertisements, contains the following.

"Mackenzie, Lyall & Co. will sell by public auction, at the Exchange Commercial sale rooms, this day, Friday, 27th May, 1831, ten bales fine American sheetings, bleached and unbleached, as fully detailed in the catalogues now in circulation."

"PRACTICE LAUGHS AT THEORY." The New York Journal of Commerce says—three thousand bags Brazil coffee were sold yesterday at 12 1/2 cts. 4 mo. deliverable on the reduced duty of 1 ct. lb.

That is—the duty will be only one cent per lb., but last year, when it was five cents, the average price of coffee was only 11 1/2 cents—so a reduction of the "tax" has increased the price! This is sound "*free trade*" logic, though common sense rejects it—as it does the whole doctrine. Moore's Entom., or Symmes' proposed journey into the hole in the earth, are not less strange than the theory of "free trade"—not less PRACTICABLE.

SPECIE. The exports have been excessive—\$1,300,000 lately left New York in one day, and caused no small degree of excitement among the bankers and those depen-

dent on their accommodations. This export of \$1,200,000, no doubt, has caused, or will cause, an additional contraction of the currency in the sum of not less than 5,000,000—the effect of which on men in business, needs no present remark. The operation is fearful against property. Every kind of merchandise that will command cash, has rapidly, and in some cases ruinously, declined in value.

The latest accounts from England, however, hold out a hope that the demand for specie there has been checked; if so, we may expect a reprieve—for a little space: but, must be harassed until the late heavy importations are somehow, *any how*, satisfied.

CAROLINA BLANKETS. ["good."] There has been left with us, for public inspection, a pair of blankets from the manufactory of Col. John E. Calhoun, of Pendleton district. The warp is of cotton, and the filling of wool, and they are pronounced, by competent judges, to be equal, if not superior, to London Duffels. Experience has proved them to be very durable. They measure eight by nine quarters, and are sold as fast as they can be manufactured, at \$5 per pair. Col. C.'s establishment is found to be highly beneficial to the farmers of the district, who find there a ready market for their wool, and a portion of their cotton crops. Flannels, to a considerable extent, are likewise manufactured at this establishment. Very handsome specimens of carpeting have been made there. The wool-carding part of the establishment is actively engaged in preparing the wool of the neighboring counties for domestic use, which is brought, in some instances, a distance of forty miles, for the purpose.—*Charleston Courier.*

[A plenty of establishments like this, would nullify nullification—"in the twinkling of a bed post," as Lord Dufferin says.]

THE PRESIDENT'S HEALTH. The Cincinnati Republican of the 17th, says:—A gentleman of this city, who has for years been the friend and correspondent of the president, was induced, by the numerous reports so industriously circulated by the *ebonies** respecting his health, to inquire, for his own personal satisfaction, directly of himself, whether there was any foundation for these reports, which gave his enemies so much consolation. We are permitted to give the following extract from the reply of our venerable chief magistrate:

"I feel grateful to you for your solicitude for my health, and can assure you it has not been better for many years. I had an attack of the prevailing fever of this place, from which I have entirely recovered. I feel more free from affliction than I have felt for ten years past. Providence has taken, and will take care of me. Contrary to the wishes and prayers of my enemies, I will live just so long as God wills that I should live."

Mr. JEFFERS, recently appointed charge d'affaires at Central America, is said, in the Trenton True American, to have resigned his office.

VALUABLE SITE. The extensive woollen manufactory late of B. Wells & Co. at Steubenville, O. which once caused plenty, though profitable employment, to a large number of persons, but for sometime idle, has been purchased at a public sale by D. L. Collier, esq. of Steubenville, who will dispose of it at a price much below its real value, that the business may be resumed. There is, perhaps, no situation west of the mountains in which the woollen manufactory can be carried on more advantageously than at Steubenville—the country being fertile and healthy, the growth of wool abundant, and the population sober, discreet and industrious.

CANALS. The great New York canal was closed with ice before the 1st inst.—but our rail road is expected to remain open the whole season!

*A little while, and it will be asked what is meant by "*ebonies*"? That it may be understood, in reference to this work, it is proper to state, that it is a "*whole swine*" term, to express political opponents of gen. Jackson.

SLAVES AND SLAVERY. A writer in the Petersburg, (Virginia), Intelligencer, says—

"The sentiment is gaining ground in Virginia, (that the whole African race ought to be removed from among us. Many people feel unwilling to die and leave their posterity exposed to all the ills which, from the existence of slavery in our state, they have themselves so long felt.

"Others are unwilling themselves longer to suffer these inconveniences—some of our best citizens are already removing—others will doubtless follow, unless they can see a probability that, at some period, the evil will be taken away."

[The fact stated in the last paragraph has an alarming character. The unhappy truth is, that, as slaves increase and matter for apprehension is collected, the white population retires and the means of defence are reduced—especially in the removal of laboring freemen—who, in almost all circumstances, have to bear the "burthen and the heat of the day."

The Wilmington N. C. Recorder of the 16th ultimo, contains the following:—On Saturday last about 12 o'clock, the six slaves condemned at the last superior court, were hung, in pursuance of their sentence. We learn that two slaves charged with *conspiracy*—to make insurrection, were tried at the last session of the superior court for the county of Sampson, and found guilty.

MASSACHUSETTS. Mr. Lincoln (nat. rep.) has been re-elected governor of this state by a large majority over both the anti-masonic and Jackson candidates.

DANIEL D. TOMPKINS. It is proposed to erect a monument in the city of New York to the memory of this distinguished man. He belonged to the country; and we regret to see that this proceeding has the appearance of being in the hands of ephemeral party.

PENNSYLVANIA. The following is given as the state of the polls to elect a member of congress in the place of Mr. Ramsey, dec. For Mr. McCay 2459, Mr. Mahon 1931, Mr. McSherry 1154. We believe the parties are Wolf, Anti-Wolf and Anti-masonic.

DELAWARE. A convention in this state, called to revise its constitution, has just completed its labors. We have not room to give particulars now. Among the changes proposed, we observe there is one that the legislature shall meet biennially. The other chief alterations, we believe, are in regulations of the judicial power, or of the judges.

CINCINNATI, OHIO. *Effects of the Canal.* The effects of the Canal upon the country have already been sensibly felt since it has been opened to this place. It has reduced the price of salt from eighty-seven to fifty cents per bushel. It has reduced the rate of carriage on every article imported from abroad in a corresponding ratio. It has advanced the price of flour from three to four dollars per barrel, and wheat from forty to sixty-five cents per bushel. It has raised the price of real estate and opened a ready market for it, and it has increased the business and bustle of the town at least fifty per cent.!

[Scioto Gaz.]

TENNESSEE. We have a copy of a long report to the house of representatives of this state, against a renewal of the charter of the bank of the United States.

LOUISIANA. The legislature of Louisiana met at New Orleans, agreeably to the proclamation of the governor, on Monday the 14th ult. The governor's message was read the same day. It explains the object of the extraordinary call, to be the passage of a law prohibiting the further introduction of slaves into the state: the appointment of a senator to congress to fill the vacancy caused by the resignation of Mr. Livingston; and the adoption of a remonstrance to be sent to congress against a repeal on the duty on sugar.

George A. Waggaman, esq. has been elected a senator of the United States, on the 5th ballot, in place of Mr. Livingston, resigned, on being appointed secretary of

state. The choice took place on the 15th ult. there being 16 senators and 48 representatives present, of whom 32 were necessary for a choice. On the first ballot Mr. Waggaman had 31, Mr. Carleton 29, and there were 2 blanks; there was therefore no election. On the second ballot, Mr. Waggaman had 31, Mr. Carleton 30 and there was 1 blank. The third ballot gave Mr. Waggaman 32 and Mr. Carleton 30; and the former was thereupon declared to be duly elected.

Mr. Waggaman was the "national republican" candidate—and his political opponents bear ample testimony to his private worth and fitness for the place to which he has been elected. But great indignation is expressed in the "Jackson" papers, at the conduct of several "Jackson" men, who are named, for deserting their party on this occasion; and the *Advertiser* holds the following emphatic tone:

"Do these men entertain so contemptuous an opinion of the intelligence of the people, as to suppose that they can longer endure to be the dupes and the victims of their intrigues, and cajoled by honeyed words and empty protestations? We speak the unanimous wish of an injured and insulted party, when we declare that they are disowned, disclaimed, and repudiated, now and forever."

There are men who will admit no other qualification for office than personal-party preferences. If what has been said of the legislature of Kentucky, and is now said of that of Louisiana, be true—taken with the result of the late election of the member of congress from Missouri, it is manifest that many of the people believe that something beyond an adherence to names has become needful to the "general welfare."

THE LEGISLATURES of many of the states are now in session, as well as that of the United States, by which a rapidly quantity of useful or important information is spreading before the people. We shall do what we can to preserve the principal things as they occur.

Both the legislatures of Georgia and of Louisiana have, at their current sessions, passed laws prohibiting the introduction of slaves (brought for sale) into those states.

WHERE IS "THE WEST?" A few years since, the inhabitants of our Atlantic cities were accustomed to speak of our town, (St. Louis) as being the remote point of civilization—the "jumping off place" in the great Valley of the Mississippi—beyond which no man in his right mind, and having a clean conscience, would think of adventuring. What a transformation has been effected? Now, we begin to think of our city as soon to be the centre—perhaps the capital of the extensive Confederacy. For hundreds of miles to the "West" of us, the land teems with inhabitants. The land of industry is there. Comforts and luxuries abound. A vigorous communication is kept up between ourselves and "these remote parts," as we are already accustomed to call them. It is, indeed, impossible to put any limit to this spirit of adventure. Even now, the formation of a settlement at the mouth of Columbia river, is regarded as so entirely feasible, that many persons have enlisted in the enterprise. Space seems about to be annihilated by the exertions of the hardy pioneers of our western settlements.—*Missouri Repub.*

[The editor of the REGISTER, though not born a British subject, well remembers when "Red Stone Ohl Fort," in the heart of Pennsylvania, was "the west," and to have heard wonderful tales about the wolves and rattlesnakes that abounded there!]

THE CHEROKEE PHOENIX, of November 12, contains the following note from Mrs. Worcester, the wife of one of the imprisoned missionaries:

"The subscriber acknowledges the receipt of \$40 06½ cents, contributed by a few citizens of the Cherokee Nation, for the purpose of defraying the expenses of a visit to her husband in prison. To those, and to all who have manifested kindness to her during the late scenes of affliction through which she has been called to pass, she tenders her sincere thanks—desiring that their kindness may receive an eternal reward.

"ANN O. WORCESTER.

"*New Echota, Nov. 4, 1831.*"

FOREIGN NEWS.

An arrival at New York, brings Liverpool advices to the 25th October, inclusive.

ENGLAND.

The rejection of the "reform bill" in the house of lords, continued to excite the most intense interest in all parts of the kingdom. A procession of upwards of 200,000 persons had been formed in London, on the occasion of presenting petitions to the king, on the subject of the fate of the bill. The procession was headed by the lord mayor of London.

Nottingham castle, the property of the duke of New Castle, and Colwich Hall, the seat of John Musters, esq. were set on fire, by mobs—the former was entirely consumed, but the latter was extinguished without material injury. The rioters at Nottingham, consisted of between 3 and 4,000, and were dispersed by the 15th Hussars, but not until they had violated several houses, and made an attack upon the house of correction. The house of the duke of Wellington had also been injured. Ministers were publicly elarged in parliament with conniving at these outrages, but indignantly repelled the charge.

In addition to those mentioned, there had been great riots at Derby, Shorborne, and other places—several of the nobility hardly escaped the indignation of the mobs, and a *cardinal* was *burnt in effigy*. At Carlisle, the bishop of the diocese was burnt in effigy—the figure dressed in full canonicals and labelled "plunderer of the people." The 365 windows in each Digby's castle, had all been destroyed. But the resolution of the king and his ministers to persevere in the project of reform, had had great effect in quieting the people.

In some of the doings of the mobs, the marquis of Londonderry had been severely hurt, and certain of the bishops were roughly handled—the latter appear to have lost the respect of the people. It was made known that the bishop would preach in a certain church in London, and resolved by the parishioners to leave the church in a hody, the moment he rose in the pulpit; and so his "lordship" retired from his design to attend. Earl Grey, lord Brougham, and the reformers generally, are earnestly greeted by the people; and the king is a great favorite with them.

Mr. O'Connell has received a "silk gown." Several of the anti-reform peers, had lately made large investments in American funds.

Mr. Van Buren dined with the king, on the 15th October.

The continent had made large demands on England for hullion and coin—and hence, in part, the heavy drafts from the United States. But a re-action is said to have taken place in favor of England, and bullion was returning. Some heavy failures had taken place in London.

Parliament was prorogued on the 20th October. Earl Grey, in reply to an address to him on the subject of reform, stated that all the ministerial measures would be taken with a view to the most effectual means of insuring success to the bill, and the same sentiment is iterated in the speech of the king proroguing parliament. Many of the higher classes in England, were about to make a temporary change of their residence.

British king's speech on proroguing parliament.

"My lords and gentlemen—

"I am at length enabled to put an end to a session of unexampled duration and labor, in which matters of the deepest interest have been brought under your consideration.

"I have felt sincere satisfaction in confirming, by my royal assent, bills for the amendment of the game laws, and for the reduction of taxes which pressed heavily on the industry of my people, and I have observed with no less pleasure the commencement of important improvements in the law of bankruptcy, from which the most beneficial effects may be expected.

"I continue to receive the most gratifying proofs of the friendly disposition of foreign powers.

"The conference assembled in London has at length terminated its difficult and laborious discussions by an

arrangement agreed upon by the plenipotentiaries of the five powers for the separation of the states of Belgium and Holland, on terms by which the interest of both, together with the future security of other countries, have been carefully provided for. A treaty founded on this arrangement has been presented to the Dutch and Belgian plenipotentiaries, and I trust that its acceptance by their respective courts, which I anxiously expect, will avert the dangers by which the peace of Europe was threatened whilst the question remained unsettled.

"Gentlemen of the house of commons:

"I thank you for the provisions made for the future dignity and comfort of my royal consort, in the event of her surviving me, and for the supplies which you have granted for the present year. You may be assured of my anxious care to have them administered with the strictest attention to a well considered economy.

"The state of Europe has produced the necessity of an increased expenditure in the various establishments of the public service, which it will be my earnest desire to reduce whenever it can be done with safety to the interest of the country.

"In the meantime I have the satisfaction of reflecting that these demands have been provided for without any material addition to the public burdens.

"My friends of the commons:

"In the interval of repose which may now be afforded you, I am sure it is unnecessary for me to recommend to you the most careful attention to the preservation of tranquility in your respective counties. The anxiety which has been so generally manifested by my people for the accomplishment of a constitutional reform in the commons house of parliament, will, I trust, be regulated by a due sense of the necessity of order and moderation in their proceedings. To the consideration of this important question, the attention of parliament must, necessarily, again be called at the opening of the ensuing session; and you may be assured of my unaltered desire to promote its settlement by such improvements in the representation as may be found necessary for securing to my people the full enjoyment of their rights, which, in combination with those of the other orders of the state, are essential to the support of our free constitution."

The lord chancellor then, by command of his majesty, prorogued the parliament to Tuesday the 22d of November, to be then held for the despatch of business.

FRANCE.

The hereditary peerage bill, had passed in a form which met the wishes of the ministers, who, in various instances, triumphed over the liberals, in the progress of the bill—the bill passed by a majority of 346.

The revenue for the last three months, prior to the 16th Oct. exhibits an augmentation of 1,835,000 francs—1,800 seamen, belonging to the Toulon fleet, were about to be discharged, and 1,600 had been furloughed. The assassin who attempted to stab the captain of the French corvette, the Eagle, at Lisbon, had been punished. The affairs with Don Miguel were still unsettled.

RUSSIA AND POLAND.

Several Polish officers had reached Paris. They complain most bitterly of being the victims of intrigue and treachery. Krukowiecki, who was the last commander (dictator) in Warsaw, is charged with having acted the part of a traitor, in the surrender of that place. Prince Czartoryski, general Skrzynecki and count Malachowski had retired into the Austrian territories. Gen. Chlopicki, whose wounds were not healed, still remained at Cracow. Joseph Ullerman, a citizen of Warsaw, had been shot for having ammunition in his house. Field marshal Debitsch was buried with great ceremony at St. Petersburg, on the 27th September. The cholera was increasing at St. Petersburg, and had broken out at Hamburg; and the Liverpool Times, says, that there is now only too much reason to fear that it will reach England in a few weeks.

BELGIUM AND HOLLAND.

The ministers of the five powers, have agreed upon a treaty, settling the affairs between these powers, which is said to be highly dissatisfactory to the Dutch government—Belgium was going on with her military preparations, to be in readiness to repel invasion.

ALGIERS.

The Bedouins had besieged and occupied Bona. The besieging army was commanded by Haigil Bensamour, formerly a merchant of Bona, and was paid by the bey of Constantine. The Bedouins had desolated the town with fire and sword. It is thought that one battalion of the French army might have prevented this catastrophe, while it will occasion the sacrifice of a regiment to recapture it.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

December 5. Mr. Smith, of Md. president pro tem. of the senate, in the absence of the vice president, took the chair at 12 o'clock; and on calling the senate to order, it appeared that all were present except, Mr. Webster, of Mass. Mr. Frelinghuysen, of N. J. Mr. Bernard, of Penn. Mr. Clayton of Del. Mr. Chambers, of Md. Mr. Tazewell, of Va. Mr. Brown, of N. C. Messrs. Troup and Forsyth, of Geo. Mr. Bibb, of Ky. Mr. Waggaman, of Lon. Mr. Ellis, of Mississippi, and Messrs. Benton and Buckner, of Missouri.

The following is the list of senators:

Maine. John Holmes, Peleg Sprague.
New Hampshire. Samuel Bell, Isaac Hill.
Massachusetts. Daniel Webster, Nathaniel Silabee.
Rhode Island. Nehemiah R. Knight, Asher Robbins.
Connecticut. Samuel A. Foot, Gideon Tomlinson.
Vermont. Horatio Seymour, Samuel Prentiss.
New York. Charles E. Dudley, William Marey.
New Jersey. Mahlon Dickerson, Theo. Frelinghuysen.
Pennsylvania. Isaac D. Barnard, William Wilkins.
Delaware. John M. Clayton, Arnold Naudain.
Maryland. E. F. Chambers, Samuel Smith.
Virginia. Littleton W. Tazewell, John Tyler.
North Carolina. Bedford Brown, Willie P. Mangum.
South Carolina. Robt. Y. Hayne, Stephen D. Miller.
Georgia. George M. Troup, John Forsyth.
Kentucky. George M. Bibb, Henry Clay.
Tennessee. Felix Grundy, Hugh L. White.
Ohio. Benjamin Ruggles, Thomas Ewing.
Louisiana. Josiah S. Johnston, Geo. A. Waggaman.
Indiana. Wm. Hendricks, Robert Hanna.
Mississippi. Powhatan Ellis, George Pomfret.
Illinois. Elias K. Kane, John M. Robinson.
Alabama. William R. King, Gabriel Moore.
Missouri. Thomas H. Benton, Alexander Buckner.

The credentials of Messrs. Prentiss, of Vt. Hanna, of Ind. Mangum, of N. C. Miller, of S. C. Moore, of Ala. Clay, of Ky., senators from their respective states, were severally presented. Messrs. Murcy, of New York, and Johnston, of Louisiana, senators elect, but whose credentials had not arrived, were permitted to take their seats—it being understood that their credentials are to be filed. The above named gentlemen were then sworn in.

The house of representatives were notified by message, that the senate were ready to proceed to business, and a similar message was received from the house of representatives, as also a resolution appointing a committee to wait on the president to inform him that both houses had organized. The senate concurred therein, and appointed Messrs. King and Foot the committee on the part of the senate.

The senate then adjourned.

December 6. Mr. King from the joint committee appointed to wait on the president, reported that they had performed that duty, and had received an intimation that the president would make a communication this day at 12 o'clock.

Mr. Donelson, the president's private secretary, handed in the following message, and certain accompanying documents.

[For the message see page 276.]

The message being read, 3,000 copies of the message and 1,500 copies of the documents, were ordered to be printed.

Mr. King moved that the 34th rule of the senate be so far suspended as to authorize the senate, in the absence of the vice president, to appoint by ballot a chair-

*Appointed by the governor, for the time being.

man of the committee of finance; which motion being agreed to.

The senate proceeded to ballot for a chairman of that committee, and Mr. Smith, of Maryland, was chosen.

The following standing committees were then announced from the chair:

On foreign relations. Messrs. Tazewell, White, King, Forsyth and Bell.

On finance. Messrs. Smith, Tyler, Marey, Silsbee and Johnson.

On commerce. Messrs. Forsyth, Dudley, Silsbee Johnson and Wilkins.

On manufactures. Messrs. Dickerson, Clay, Knight, Miller and Seymour.

On agriculture. Messrs. Seymour, Brown, Moore, Hanna and Waggaman.

On military affairs. Messrs. Benton, Bernard, Troup, Clay and Kane.

On the militia. Messrs. Barnard, Frelinghuysen, Clayton, Prentiss and Waggaman.

On naval affairs. Messrs. Hayne, Tazewell, Robbins, Webster and Bibb.

On public lands. Messrs. King, Ellis, Holmes, Robbins and Hanna.

On private land claims. Messrs. Kane, Naudain, Prentiss, Ruggles and Hendricks.

On Indian affairs. Messrs. White, Troup, Poindexter, Benton and Wilkins.

On claims. Messrs. Ruggles, Bell, Naudain, Brown and Moore.

On the judiciary. Messrs. Marey, Hayne, Webster, Frelinghuysen and Grundy.

On the post office and post roads. Messrs. Grundy, Ellis, Hill, Ewing and Tomlinson.

On roads and canals. Messrs. Hendricks, Poindexter, Hill, Mangum and Sprague.

On pensions. Messrs. Foot, Chambers, Mangum, Buckner and Sprague.

On the District of Columbia. Messrs. Chambers, Tyler, Holmes, Clayton and Miller.

On the contingent fund. Messrs. Knight, Dudley and Tomlinson.

On engrossed bills. Messrs. Robinson, Ewing and Buckner.

The senate then adjourned.

December 7. Mr. Chambers, of Maryland, appeared, was qualified, and took his seat.

The president of the senate communicated the secretary of the treasury's report, the reading of which was dispensed with, and 1500 additional copies ordered to be printed—also the annual report of the secretary of the senate, of the contingent expenses of his office.

Mr. Dudley, presented the memorial of Edward Fanning and Benjamin Penikese, of New York, praying compensation for losses sustained by the failure of the late contemplated exploring expedition to the south seas—*referre*.

Mr. Sprague submitted the following resolution:

Resolved, That the president of the United States be requested to communicate to the senate, if not incompatible with the public interest, all the information in his power, relative to the capture, abduction, and imprisonment, of American citizens by the provincial authorities of New Brunswick, and the measures which, in consequence thereof, have been adopted by the executive of the United States.

Mr. Holmes submitted the following:

Resolved, That the president be requested to inform the senate whether any further negotiation is commenced, proposed, or intended, in regard to the north eastern boundary of the United States.

These resolutions lie upon the table until to-morrow.

On motion of Mr. King, it was

Resolved, That the secretary of the senate cause to be distributed to the senators, not heretofore supplied, one copy each of Jefferson's Manual and the Executive Journal.

Mr. Hayne gave notice that he would, to-morrow, ask leave to introduce a bill to provide for the settlement of the claims of the state of South Carolina, for advances made to the United States during the last war.

Mr. Foot gave notice that he would, to-morrow, ask leave to introduce a bill supplemental to the act for the relief of certain surviving officers and soldiers of the revolution.

After a short time spent in the consideration of executive business,

The senate adjourned to 12 o'clock to-morrow.

December 8. The chair communicated several letters and reports.

Messrs. Foot and Hayne, having obtained leave yesterday, introduced the bills mentioned.

Several petitions were presented, and referred.

The resolution submitted yesterday by Mr. Sprague was agreed to—and that by Mr. Holmes taken up.

Mr. Poindexter thought the general message of the president fully treated the subject. Mr. Holmes believed that it did not. Mr. Hayne was in favor of motions of inquiry, but thought the resolution premature. Mr. Holmes replied, but consented that the resolution should lie on the table till next week. It was laid on the table.

Mr. Hanna submitted the following resolution which lies upon the table:

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of an appropriation to extinguish the Indian title in Indiana.

Two messages, of a confidential nature, having been received from the president of the United States,

On motion of Mr. White,

The senate went into the consideration of executive business; and, after sitting with closed doors for a short time,

Then adjourned over to Monday next, at 12 o'clock.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 5. The hour of 12 having arrived, the house was called to order by the clerk, when it appeared that all the members elect, were present, except the following gentlemen, Mr. Burges, of Rhode Island, Mr. Stephens, of Pa., Mr. Coke, of Va., Mr. McKay, of N. C., and Mr. Lewis, of Alabama; but there are seven vacancies as stated below.

List of members of the house of representatives.

From Maine.

John Anderson	Leonard Jarvis
James Bates	Edward Kavanagh
George Evans	Rufus McIntyre
Cornelius Holland	

New Hampshire.

John Brodhead	Henry Hubbard
Thomas Chandler	Joseph M. Harper
Joseph Hammons	John W. Weeks

Massachusetts.

John Quincy Adams	John Davis
Nathan Appleton	Edward Everett
Isaac G. Bates	George Grennell, jr.
George N. Briggs	Joseph G. Kendall
Rufus Choate	John Reed
Henry A. S. Dearborn	(Two vacancies.)

Rhode Island.

Tristram Burges	Dutree J. Pease
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Connecticut.

Noyes Barber	Ralph I. Ingersoll
William W. Ellsworth	William L. Storrs
Jabez W. Huntington	Ebenezer Young

Vermont.

William Calhoun	William Shade.
Horace Everett	(One vacancy.)
Jonathan Hunt	

New York.

William G. Angell	Garret Y. Lansing
Gideon H. Borstow	James Lent
Joseph Bouck	Job Penson
William Babcock	Nathaniel Pitcher
John T. Bergen	Edmund H. Pendleton
John C. Broadhead	Edward C. Reed
Samuel Beardsley	Erastus Root
John A. Collier	Nathan Soule
Bates Cook	John W. Taylor
C. C. Cambreleng	Phineas L. Tracy
John Dickson	Gulian C. Verplanck
Charles Dayan	Frederick Whittelsey
Olysses F. Doubletlay	Samuel J. Wilkin
William Hogan	Grattan H. Wheeler
Michael Hoffman	Campbell P. White
Frederick C. Jewett	Aaron Ward
John King	Daniel Wardwell

New Jersey.

Lewis Condict	Thomas H. Hughes
Silas Condict	James F. Randolph
Richard M. Cooper	Isaac Southard

Pennsylvania.

Robert Allison
John Banks
George Burd
John C. Bucher
Thomas H. Crawford
Richard Coulter
Harmer Denny
Lewis Dewart
Joshua Evans
James Ford
John Gilmore
William Heister
Henry Horn

Delaware.

John J. Milligan.

Benjamin C. Howard
Daniel Jewell
John L. Kerr
George E. Mitchell
Benedict I. Semmes

Maryland.

John S. Spence
Francis Thomas
George C. Washington
J. T. H. Worthington

Virginia.

Mark Alexander
Robert Allen
John S. Barbour
Thomas T. Boulfinch
Nathaniel H. Claiborne
Robert Craig
Joseph W. Chinn
Richard Coke, jr.
Thomas Davenport
Philip Doddridge
William F. Gordon

North Carolina.

Daniel L. Barringer
Lauchlin Bethune
John Branch
Samuel P. Carson
Henry W. Connor
Thomas H. Hall
James J. McKoy

South Carolina.

Robert W. Barnwell
James Blair
Warren R. Davis
William Drayton
John M. Felder

Thomas F. Foster
Henry G. Lamar
Daniel Newnan
Wiley Thompson

Georgia.

Richard H. White
James M. Wayne
(One vacancy.)

Kentucky.

John Adair
Chilton Allan
Henry Daniel
Nathan Gaither
Albert G. Hawes
R. M. Johnson

Joseph Leecombe
Chittenden Lyon
Robert P. Letcher
Thomas A. Marshall
Christopher Tompkins
Charles A. Wickliffe

Tennessee.

Thomas D. Arnold
John Bell
John Blair
William Fitzgerald
William Hall

Jacob C. Isaacs
Care Johnson
James K. Polk
James Standler

Ohio.

Joseph H. Crane
Eutheros Cooke
William Greighton, jr.
Thomas Goram
James Findlay
William W. Irwin
William Kenon

Humphrey H. Leavitt
William Russell
William Stauber
John Thomson
Joseph Vance
Samuel F. Vinton
Elisha Wattlesey

Louisiana.

Edward D. White.

Indiana.

Jonathan McCarry

Mississippi.

Franklin E. Plummer

Illinois.

Joseph Duncan

Alabama.

Clement C. Clay Samuel W. Mardiz

Dixon H. Lewis

Missouri.

William H. Ashley

DELEGATES.

Michigan. Austin E. Wing
Arkansas. Ambrose H. Sevier
Florida. Joseph M. White

The house then proceeded to the election of a speaker. The result of the first ballot was announced to be—
For *Andrew Stevenson*, of Virginia, 98;
For *Joel B. Sutherland*, of Penn., 54;
For *C. A. Wickliffe*, of Kentucky, 15;
For *John W. Taylor*, of New York, 13;
For *Lewis Condict*, of New Jersey, 4; Scattering 6.
The whole number of votes given being 195.

Andrew Stevenson, of Virginia, having received 93 votes, (the exact number necessary for a choice,) was declared to be duly elected speaker of the house of representatives; whereupon, being conducted to the chair by *Thomas Newton*, of Virginia, the speaker addressed the house as follows:

Gentlemen: In accepting, a third time, this exalted station, I cannot adequately express the deep sense I entertain of the honor you have been pleased again to confer upon me, or my warm feelings of gratitude, for this distinguished proof of your continued confidence, and unchanging kindness.

It is an honor, too, gentlemen, which has been conferred in a manner, and under circumstances peculiarly calculated to gratify and flatter me; and I shall ever cherish it as the most valuable reward for my past services. The office of speaker of this house has, at no period in our history, been without its embarrassments and trials; and it in times of profound tranquillity and repose, its duties have justly been regarded by the most eminent of the distinguished individuals who have filled the chair, as arduous and responsible, how greatly must its labors and responsibilities be enhanced in times of high political and party divisions!

I certainly am not vain enough to suppose that it will be in my power to discharge the duties of this high office in a manner suitable to its dignity and importance, or as I should myself wish, indeed there is no man, I am very confident, be he whom he may, who could at such a time assume its responsibilities without distrustingly greatly his own abilities. I shall not, however despair. Actuated by an honest and manly zeal, I shall endeavor at least to justify the choice of my friends, and merit the confidence and respect of the house.

Whoever shall fill this chair, to his own honor or the advantage of the nation, must possess not only this confidence of the house, but the esteem and respect of the honorable and high minded men, over whom he presides. Neither station or power can confer esteem or respect. They can only be acquired by integrity, impartiality, and independence here. These alone can shed honor or lustre on this station, and make it, both as it regards the house and the nation what it should be.

I unfeignedly assure you, gentlemen, that I shall need and expect your cordial and kind co-operation, in preserving order and dignity in our deliberations, and sustaining the authority of the chair; and I earnestly hope so to discharge its duties as to insure to its decisions not merely a reluctant support, but a steady and cheerful acquiescence in their justice and propriety.

I tender you, gentlemen, my cordial co-operation in the discharge of your high duties, and ardently pray that we may, by our conduct and deliberations, render this house worthy of the high name and character of our beloved country.

The oath required by law was administered to the speaker by Mr. *Newton*, of Va. and the same oath (or affirmation), was thereupon administered to all the other members present.

The usual messages having passed between the house and the senate, a committee was appointed to wait on the president and inform him that congress was organized.

On motion of Mr. Speight it was Resolved, unanimously, That M. St. Clair Clark, clerk in the late house of representatives, be appointed clerk to this house.

On motion of Mr. Taylor, it was Resolved, That the rules and orders established by the late house of representatives be deemed and taken to be the rules and orders of proceeding to be observed in this house, until a revision or alteration shall have taken place.

On motion of Mr. Johnson, of Ky. it was Resolved, That the clerk cause the members of this house to be furnished, during the present session, with such newspapers as they may direct, the expense whereof, for each member, not to exceed the price of three daily papers.

And then the house adjourned.

Tuesday, Dec. 6. On motion of Mr. Taylor, it was resolved to appoint two chaplains of different denominations, one by each house, to serve during the present session, who shall interchange weekly.

Mr. Ward, from the joint committee appointed yesterday to wait on the president, made a report.

Immediately after which, a communication was received from the president, in writing, by Mr. Donelson his private secretary, which being read,

On motion of Mr. Johnson, of Ky. 10,000 copies thereof were ordered to be printed.

And then the house adjourned.

Wednesday, Dec. 7. Richard Coke, Jr. of Va. appeared and took his seat.

A message was received from the president of the United States, by Mr. Donelson, his private secretary, transmitting two letters from the secretary of state, accompanied by statements from that department, showing the progress which has been made in taking the fifth census of the inhabitants of the United States; and also, by a printed copy of the revision of the statements heretofore submitted to congress, &c. From these the following is extracted:—

RECAPITULATION,

Exhibiting the general aggregate amount of each description of persons in the United States, by classes.

Free white persons.

Males—under 5 years of age,	972,194
of 5 and under 10,	782,637
of 10 " "	15, 671,668
of 15 " "	20, 575,614
of 20 " "	30, 952,902
of 30 " "	40, 592,596
of 40 " "	50, 369,370
of 50 " "	60, 230,500
of 60 " "	70, 134,910
of 70 " "	80, 58,136
of 80 " "	90, 15,945
of 90 " "	100, 1,093
of 100 and upwards,	274—5,358,759
Females—under 5 years of age,	920,104
of 5 and under 10,	751,649
of 10 " "	15, 639,063
of 15 " "	20, 597,713
of 20 " "	30, 915,662
of 30 " "	40, 555,565
of 40 " "	50, 355,425
of 50 " "	60, 225,928
of 60 " "	70, 131,866
of 70 " "	80, 58,034
of 80 " "	90, 17,272
of 90 " "	100, 2,484
of 100 and upwards,	234—5,167,299

Total number of free whites, 10,526,058

Slaves.

Males—under 10 years of age,	353,845
of 10 and under 24,	313,676
of 24 " "	36, 185,654
of 36 " "	55, 118,996
of 55 " "	100, 41,456
of 100 and upwards,	718—1,014,345
Females—under 10 years of age,	347,566
of 10 and under 24,	308,793
of 24 " "	36, 186,082
of 36 " "	55, 111,753
of 55 " "	100, 41,422
of 100 and upwards,	668—996,284

Total number of slaves, 2,010,629

Free colored persons.

Males—under 10 years of age,	48,737
of 10 and under 24,	43,126
of 24 " "	36, 27,629
of 36 " "	55, 22,262
of 55 " "	100, 11,475
of 100 and upwards,	266—133,495
Females—under 10 years of age,	47,347
of 10 and under 24,	43,125
of 24 " "	36, 32,504
of 36 " "	55, 24,266
of 55 " "	100, 13,369
of 100 and upwards,	361—165,962

Total number of free colored persons, 319,467

Total aggregate of the U. S. 12,856,154

The report of the secretary of the treasury, was laid before the house, and ten thousand copies ordered to be printed.

The house then proceeded to the election of its officers—when John O. Dunn, was, on a second ballot, re-elected sergeant at arms—and Overton Carr, was, on the first ballot, elected door keeper, (the old door keeper capt. Benjamin Burch, being unable from inaptitude to attend to his duties). The house then proceeded to ballot for an assistant door keeper, but no choice being had, the house adjourned.

Thursday, Dec. 8. Dixon H. Lewis, of Alabama, and Austin E. Wing, delegate from Michigan, appeared this day, and took their seats.

On motion of Mr. Taylor, an order was passed for the appointment of the several standing committees, pursuant to the rules and orders of the house. The names of the gentlemen who will compose the committees will be announced on Tuesday next.

After some minor business, the ballotings for an assistant door keeper took place. On the 4th ballot, John W. Hunter, of Georgia, had 104 votes, (elected), Moses Poor 63, and some others a few. There were eleven in nomination.

The speaker laid before the house sundry communications, &c.

I. A letter from the treasurer, accompanied by the annual statement of his accounts. Laid on the table.

II. A letter from the first comptroller of the treasury, accompanying lists of balances due more than three years on the books of the register and second auditor of the treasury. Laid on the table.

III. A letter from the commissioners of the navy pension and navy hospital funds, transmitting their annual report for the year 1851. Laid on the table and ordered to be printed.

On motion of Mr. Ellsworth, it was

Resolved, That the clerk of the house be directed to purchase thirty copies of Gordon's digest of the laws of the United States, for the use of the members of this house.

And the house adjourned until Monday next.

THE MESSAGE AND PRINTER TO CONGRESS.

From the U. S. Telegraph.

We submit the following correspondence, as our justification for the delay in delivering to the two houses of congress the usual number of copies of the message and accompanying documents. The reader can make his own comment:

Mr. Donelson's compliments to gen. Green, and informs him that Mr. Blair will be instructed to furnish to him and to the other proprietors of papers in this city, impressions of the message in time for it to be set up the evening before its delivery, under a pledge that it is not to go out of their offices until the hour appointed for its delivery to congress.

December 8, 1851.

Mr. Green acknowledges the receipt of maj. Donelson's note of this date, informing him that "Mr. Blair will be instructed to furnish to him and to the other proprietors of papers in this city, impressions of the message in time for it to be set up the evening before its delivery," and informs Mr. D. that his application

was made as printer to congress, and not as a "proprietor," and asks to remind maj. D., that unless the message is furnished at an earlier date, it will be impossible to furnish the two houses of congress with the usual number of copies as soon as it has been heretofore done.
Washington, 3d Dec. 1831.

December 3, 1831.

Sir: I have submitted your second application for a copy of the message to the president, who instructs me to say in reply to it, that he does not consider you, as printer to congress, entitled to the message, as a public document, until it becomes such by being delivered to that body.

As editor and proprietor of a newspaper, you are placed on the same footing with others in the city, by the instructions which have been given to Mr. Blair, and which you have quoted in your note. Respectfully yours, &c.,
AND J. DONELSON.

Gen. Diff Green.

JACKSON AND CALHOUN IN GEORGIA.

The following are the preamble and resolutions, respecting the two distinguished individuals above named, as they passed the senate of Georgia, on the 24th inst. Yes, 65—Nays, 00. It is said to be probable they will go through the house, with nearly the same unanimity.

Whereas, the re-election of Andrew Jackson to the presidency of the United States, for the next term, is of vital importance to the best interests of the people, as such an event will tend to perpetuate the happiness and prosperity of our beloved country, preserving unimpaired the "federal constitution"—for the following reasons:

1st. Because he is a decided and firm friend to the continuance of the federal union of these states: "It must be preserved."

2d. Because of the strong determination which he has expressed, on several occasions, to have the national debt extinguished, that the burthens upon the agricultural interest of the south, and the commercial interests of the whole country, may be removed—authorizing the hope, that under his second administration, the three great interests of agriculture, commerce, and manufactures, may be placed upon a common footing of equal protection and equal freedom, whereby the constitution will be restored, and the south relieved from the injustice of the present system, of drawing tribute from the many, for the benefit of the few.

3d. Because, since he has been president, he has done all in his power to ensure to Georgia the territory now in the possession of the Cherokee Indians, judging therefore by the past, we may confidently rely for the future, on his exercising all his influence, to enforce our just rights, and thereby realize to the state the possession of those lands, and her citizens the enjoyment of them.

4th. Because, by putting his veto to the Maysville road bill, he has arrested the system of internal improvement which proposed to establish a violation of another—to maintain the tariff system, by creating a perpetual drain from the federal treasury—to perpetuate an extravagant and oppressive taxation, by a profligate expenditure of the public revenue.

It is resolved by the senate and house of representatives of the state of Georgia in general assembly met, and it is hereby resolved by the authority of the same, That the people of this state look forward with deep solicitude to the re-election of Andrew Jackson to the presidency of the United States, at the ensuing election, and do hereby pledge themselves to support him for that high office. They do not hesitate to declare it as their opinion, that he is the most fit and proper person to be supported, and do in the most earnest terms, recommend him to the people of our sister states, at the approaching election.

Many of the public presses throughout the United States, opposed to the administration of president Jackson, have labored to induce a belief that a portion of the people of Georgia are willing to make common cause with the vice president, and thereby contribute to the defeat of gen. Jackson. Recent events in this state have been hailed, in some of our sister states, as proof of the triumph here of John C. Calhoun and his principles over the president, his friends and his principles. The great

body of the people of this state have no feeling in common with the pretensions, or with many of the principles of Mr. Calhoun—and especially those contained in his late address to the people of the United States on the subject of nullification. They are unequivocally opposed to the claims which his friends have set up for him to the presidency, arrayed as they are against the rightful claims of gen. Jackson. No man can be the friend of Jackson who directly or indirectly gives aid or countenance to the most indolent, the most bitter, and the most talented of his opposers.

Therefore, be it resolved by both branches of the legislature, That they do not favor the pretensions of Mr. Calhoun, either to the presidency or the vice presidency of the United States, and that his excellency the governor be, and he is hereby, respectfully requested to furnish our representatives in congress with copies of these resolutions.

SOUTH CAROLINA AND GEN. JACKSON.

Whilst the state of Georgia is unanimously resolving to support general Jackson, because he is supposed to be hostile to the doctrines of Mr. Calhoun and his friends, we learn by the following account of proceedings of the legislators of South Carolina, that they are disposed for that very reason to discard him!

From the Southern Times of Nov. 30.

PLOT AND COUNTERPLOT.

The scene opened last night. A notice was yesterday put up in the state house, summoning a meeting of those friendly to the re-election of general Jackson, in the senate chamber last night. At 6 o'clock, a meeting accordingly took place, and a very general attendance of the members of both houses. Judge Huger was called to the chair, and Mr. Pettigru introduced a string of resolutions approving the administration of gen. Jackson, and nominating him for re-election. The hon. Henry Deas made a motion, as a substitute for Mr. Pettigru's, to the effect that it was inexpedient now to set upon the subject. A warm and general discussion ensued, in which Judge Smith, Messrs. Harrison, Sperry, Levy, and T. Williams took part on one side, and Messrs. Deas, Preston, Butler, Dunkin, and Wardlaw, on the other.

At length a motion was made for adjournment, accompanied with a request for the members present in favor of the immediate nomination of gen. Jackson to remain. The motion was carried, and an instantaneous call was made for a meeting of those opposed to the immediate nomination in the representative hall. The question of nomination was then put in the senate chamber, and carried by a vote of 58. In the representative chamber, the hon. H. Deas was called to the chair, and it was ascertained upon a call of the rolls, that there were present 86 members. The following resolution was then introduced by Col. Preston, and carried nem. con:

"Resolved, That the state of Carolina, being engaged in a contest for great constitutional rights and interests of paramount importance, it is inexpedient at this time to involve her in the struggles of the presidential election, or to pledge her to any particular candidate."

There were 23 members absent from both meetings. If all had been present the vote would have been in about the same proportion. Measures were taken to obtain the opinions of those absent, and they will hereafter be given.

We have only time to say, that col. Preston's resolution speaks the sentiments of South Carolina. Let gen. Jackson and the national republican monopolists and consolidationists look at it.

PRESENTATION OF SWORDS.

On the 19th ult. in the council chamber, governor Howard presented swords to captain Geisenger, lieutenant Smoot and lieutenant Conner, agreeably to the resolution of the last general assembly of Maryland, in the presence of the council, the court and bar of the court of appeals, and a respectable number of citizens and strangers—among the latter were commodore Bainbridge, captain Ballard, and lieutenant Mayo.

The Annapolis Republican states that the following is the address of the governor on the occasion, and the replies of the respective gentlemen thereto.

Address of the governor.

Gentlemen:—In every age and in every country it has been customary to pay some public tribute of respect to distinguished merit. The propriety of this custom established in the early ages of

the world, is confirmed by its continuance at the present day, when civilization has become extended over so large a portion of our globe, and the inventions of human genius have arrived at such a point of perfection that we are at a loss to conceive how they can be further extended. The legislature of Maryland, in accordance with this long established custom, has from time to time, selected from amongst her citizens, those who have distinguished themselves by devotion to the public good, bestowing upon them some visible sign of her approbation. It is upon such an occasion that we have met this day. It becomes my duty in my official station, in compliance with the direction of the representatives of the people of this state to bestow upon you, the highest reward the patriot and warrior can desire—these testimonials of the approbation of your native state, of your gallantry and good conduct in defence of the rights of your country, those who have distinguished themselves by services, your names being recorded in the archives of your native state. Having myself received the parental instruction of one who bore arms in our revolutionary struggle, I can readily conceive the feelings by which you are now agitated—flashes of pleasure mingled with that modesty natural to the brave, which would make you prefer your situation at the moment your laurels were won, to this when you are about to receive the reward of your country. It is a proud and gratifying fact, that I cannot refrain from mentioning, that in the generous strife, who should be foremost in deeds of valor, the sons of Maryland were not undistinguished. In the records of our revolution, the names of Marylanders stand proudly prominent; and when at a later period our country again became involved in war with the same nation, with which our fathers so successfully contended, the same spirit which animated them, was found amongst their sons, who nobly redeemed the pledge of devotion to their country, given by their fathers. In the gallant band which marched to such the foe, you were found; and that you went forth not in vain, the transactions of this day are proud evidences. You fought and conquered, carrying the Star Spangled Banner into every sea, and convincing your enemy, that they were not the only nation,

"Whose march is on the mountain wave,

"Whose home is on the deep."

"The Java and the Guerriere—the Peaceock and the Penguin—the Reindeer and the Aron, are proud trophies of this fact."

Your country is grateful to you—Your native state is proud of you, and through me as her organ, tenders to you these words, as evidences of her feelings.

Captain Geisenger's reply.

It is with peculiar pleasure that I receive from the hands of your excellency the sword which is presented by the legislature of my native state, as a mark of its approbation of my conduct during the late war. In the actions in which you refer, I was but an humble participator, as I then only held the station of a midshipman.—Gratifying as is this kind and encouraging remembrance of the patriotic state of Maryland, yet it is mingled with the most painful recollection. The gallant Bickley and his devoted companions never lived to receive from their country, the cheering reward of gallant deeds. I am the only survivor of the officers who shared in the actions which you have this day so kindly celebrated.

For this sword, and for the very flattering expressions with which the presentation has been accompanied, accept my heartfelt thanks, and my solemn assurance that it shall never be drawn except in the defence of justice and of the country.

Lieut. Contee's reply.

The happiness I feel in receiving this testimonial of my native state, is highly increased from its being presented by your excellency, a descendant of the illustrious Sir Cospatrick.

Should the fortune of war ever place me in the military stage, may my career, like his, be crowned with victory and glory.

Lieut. Smoot's reply.

I beg your excellency to believe, that I feel with deep sensibility the distinguished honor conferred upon me by the legislature of my native state, in the presentation of this sword, as a reward for the feeble services rendered by me to my country, during the late war with Great Britain.

It is a proud consolation to me to know (humble as my services were), that throughout that contest I felt an honest devotion to the cause of my country; and that I exerted in her service, whatever ability I possessed. I can only pledge a similar devotion in any future contest in which she may be engaged.

I make my most grateful acknowledgments to your excellency for your kindness and courtesy on this occasion.

ON SLAVE LABOR.

The following eloquent memorial to the legislature of the state of Virginia, has been forwarded to the editors of the Richmond Whig from the county of Fluvanna, by the hands of which county it is now received, it will be extensively signed.

"To the general assembly of the commonwealth of Virginia,

"The memorial of the female citizens of the County of Fluvanna, most respectfully sheweth

Your memorialists have hitherto been blessed with contentment in the happy privacy of domestic retirement, where they have enjoyed peace and security, under the wise institutions of a free government; nor have they until now had occasion to appeal to the guardians of their country's rights for redress of any national grievance, having shared the prosperity of their heavenly-blessed land with feelings of gratitude to the Author of all Good and to their natural guardians and protectors. They retain a grateful recollection of the patriotic exertions of your predecessors in office, when the lands of their native were the fetters of foreign barbarism, and the divisions of a mighty nation were involved in your selfish rations as a legislative body. The spirit now animates your councils which then triumphed over the oppression of Great Britain, and bore us safely through the perils of an unequal con-

test. The same wisdom pervades your deliberations which framed for our emancipated realm, a system of laws unequalled in the universe. Under this salutary code, we have seen our sons arise to manhood, unfettered by abject restrictions, and our daughters fill their allotted stations among the honored matrons of a free land.

But a slight bow hangs over our national prospects, and a cloud dims the sunshine of domestic peace throughout our state. Our ears have heard the wailings of distress, and a mysterious dread, mingled with fearful suspicion, disturbs the sacred quists of our homes. We have heard "Rachel," as it were, "weeping for her children, because they are not," and uncontrollable sympathy with distant mourners, quickens the throbbings of our once tranquil bosoms.

We cannot conceal from ourselves that an evil is among us, which threatens to outgrow the growth and eclipse the brightness of our national blessings. A shadow deepens over the land and casts its thickest gloom upon the sacred shrine of domestic bliss, darkening over us as time advances. We reflect, with gratitude, that no error, in the framers of our constitution, entailed this evil upon us. We drew the taint from the bosom that fostered us, and it has gradually mingled with the vital principle of our national existence. It can no longer remain dormant and inert in the social system, but calls loudly for redress from the sages of our land. We are feelingly aware of the arduous difficulties of the case in question, and nothing, but the fullest confidence in the wisdom and prudence of our legislative council, joined to a sacred trust in the God of nations, could induce us thus to intrude on the important avocations which engage your time and your attention. We feel confident of your sympathy in all real danger, and trust that none of your revered body will impose its interference in this delicate matter, to a culpable degree of intemperance; neither will you impute to us the extravagant expectation that your utmost exertions can effect an immediate removal of the evil we deplore. We are prepared to endure a large proportion of the affliction, during our brief term of existence. But we look forward to the time, when our children's children will occupy the place which must soon know us as gone. Should your wisdom devise a method of alleviating our national malady, posterity will be indebted to you for the security of the domestic sphere. Our daughters, and their daughters, are destined to become, in their turn, the tender fosterers of helpless infancy, the directors of developing childhood, and the companions of those citizens who will occupy the legislative and executive offices of their country. Can we calmly anticipate the condition of the southern states, at that period, should we not be devoted to arrest the progressive miseries attendant on slavery? We should red for the fate of our female descendants, while we endeavor to still the too important apprehensions of our own bosoms. It will be their province, as it is ours, to impose the salutary restraints of domestic discipline, and, in the absence of their lawful directors, to maintain temporary sway over the household. Can this post of duty be safely filled by a helpless female, amid the impediments arising from the increasing evils of slavery? Will the paternal father's heart be at peace, when, amid the hurly of public affairs, his trait thoughts return to the home of his affections, surrounded by doubt, if not dangerous, subjects to a precarious authority? Perhaps, when deeply engaged in his legislative duties, his heart may quail, and his tongue falter, with irrepressible apprehension for the peace and safety of objects dearer than life itself.

Such will be the trials of our posterity, unless sufficient measures are speedily put in operation to avert them from the unborn myriads of our native land.

We presume not to intrude our suggestions as to the method of accomplishing this stupendous undertaking, but we are content to leave the choice of means to those on whose wisdom we can rely. It is sufficient, that we are allowed the privilege of entreating our lawmakers to commence, without delay, a work which must be slowly and gradually performed. We can only and the mighty task by ardent outpourings of the spirit of supplication at the Throne of Grace. We will call upon the God in Whom we trust, to direct your councils by his unerring wisdom, and guide you with his effulgent spirit. We now conjure you, by the sacred charities of kindred, by the solemn obligations of justice, by every consideration of domestic affection and patriotic duty, to exert every faculty of your minds to the investigation of this important subject—and let not the sacred vows of your mothers, wives, daughters, and kindred, have sounded in your ears in vain!!

"THE CABLE CASE."

From the Boston Gazette.

This case, which has excited considerable interest, especially among the mercantile community, was decided on Monday last, in the United States district court. We have been politely favored with the opinion delivered by Judge Davis in the case, which we doubt not will be acceptable to our readers. It is as follows:—

MASSACHUSETTS DISTRICT.

District court, United States, October 24, 1831.

U. States, *Libellants*, vs. *One hempen cable and one hempen hawser*, Benj. Rich, S. H. Rich and John Norris, *claimants*.

A. Dunlap, district attorney, for the United States.

Charles G. Loring, for claimants.

These articles, brought into the port of Boston, in the brig *Moscow*, from Cronstadt, were seized on the 14th of September last, by the collector of the district of Boston and Charlestown, on the ground, as the label alleges, that they belong to, or were consigned to the master, mate or crew of that vessel, and were not described or included in the manifest or manifests of the cargo, by which, and by force of the statute of the United States, in such

case made and provided, it alleged that they have become forfeited to the sea specified in the statute.

The claimants in their answer on oath declare, that they are the lawful owners of the brig *Moscow*, that she arrived at Boston on the 5th of September last, from Cronstadt, having, in her outward voyage, first proceeded to Matanzas, in the island of Cuba, the said John Norris, one of the joint owners, being the master; that, on the passage to Matanzas, by a casualty which they particularly describe, part of the stream cable—about twenty-five fathoms—was necessarily cut away and lost, with the anchor to which it was attached, and that, from this circumstance, as well as from the age, long continued use and decay of that cable, it became necessary to procure a substitute, which was accordingly done by the master of the brig, at Cronstadt, for the necessary use of the vessel, and for no other purpose; that, in like manner, a substitute was there provided for the hawser, belonging to the brig—the old hawser, it is averred, being strained, weak and unfit for use; that said new stream cable and hawser were taken on board said brig, at Cronstadt, as part of her ground tackle and equipment, and solely for the purpose of being used as such; that they were purchased in the ordinary manner for immediate use, were stowed in that part of the vessel, where the stream cable and hawser, in actual service, are always stowed and kept; that during the passage from Cronstadt to Boston there was no other stream cable nor hawser on board of said vessel, used or intended to be used, as a part of her ground tackle, or equipment, nor kept on board in the place where said articles are or ought to be stowed and kept, and that in all particulars the same were intended to be, and were kept to be used, as being the ordinary tackle and furniture of the vessel; the stream cable and hawser, thus purchased, intended and applied, they aver to be the same that are mentioned in the libel; they deny that those articles belonged to, or were consigned to the master, mate or crew of the vessel, saving the interest of the master, or that they were brought on board or imported in said vessel as merchandise, or contrary to law; and in answer to an interrogatory propounded with the libel, the respondents further declare, that said cable and hawser were purchased by said Norris, in his capacity as master and part owner of said brig, on the 14th of June last, at Cronstadt, and that they belonged to the claimants, as owners of that vessel, being, as they aver, part of her necessary tackle and equipment.

Numerous witnesses were examined, as to that portion of the claimants' averments respecting the insufficiency of the old stream cable and hawser, and as to the necessity or expediency of procuring new substitutes for the proper use of the vessel in the accomplishment of her voyage; and I am fully satisfied, from that examination, and from the testimony of the mate, contained in his deposition, that the claimants' averments in their defence are true. The loss of the old cable and hawser, and the necessity or would alone, in my opinion, justify the purchase of a new one, and entitle such substitute to be considered as part of the tackle and furniture of the vessel, and as such, free of duties, and the decided testimony given of the condition of the hawser, leaves no doubt of the propriety of procuring a substitute for that article also. The articles libelled being of this character, truly and fairly part of the ship's furniture or equipment, it is not requisite to insert them in the manifest. It is argued, on the part of the government, that, in the true construction of the statute, those articles would come under the denomination of *sea stores*. This would appear to me a strained interpretation of the statute, and the uniform practice, from the earliest date of our maritime and fiscal regulations, gives no support to such construction. "*Fuel and cabin stores*," is the expression in the 23d section of the collection law in the case referred to, of *sea stores* and *sea stores*. These expressions are understood to mean, and naturally do mean, the stores or provisions laid in for cabin or storage, for officers, passengers or crews, or if further extended, can only be applicable to articles of consumption, perishing in the using, and not to the tackle and apparel of the ship, the sails, rigging, cables or anchors. These are to be considered as attached to the ship, and so belonging to the ship, that it is no more necessary to include them in the manifest than the ship itself. The sails and tackle, says Lord Holt, in the case of *Edmonson vs. Walker*, are part of the ship—and under the circumstances of that case, were so considered, though they were on the shore. I show 177.

It may be remarked, that if the articles, in question in this libel, are to be considered as falling under the denomination of *sea stores*, in the present case, they do not properly be founded on the 24th section of the collection law which it recites, but on the 23d section.

It being satisfactorily proved, that these articles were purchased and intended for the vessel, by the master, they became thereby the property of the owners; and even if they constitute an unnecessary supply, under the circumstances in which the vessel was placed, and so to be considered as merchandise imported, still, being the claimants' property, they would not be liable to forfeiture by the action of the act, unless it were for the master's portion. Of the legal result in such view of the case, as to the master's proportion, he being likewise a part owner of the vessel, it is unnecessary, in this case, to express or to form an opinion. On other distinct ground, already expressed, from the suitable and proper connexion of the stream cable and hawser with the vessel, as part of her tackle and apparel, I have no hesitation in decreeing that they be restored to the claimants.

It remains to be considered whether the certificate of reasonable cause shall be entered for the collector's protection, who may be otherwise exposed to a prosecution for an exercise of official duty. There were, it appears, some circumstances attending this transaction, producing a degree of excitement which had not entirely subsided in the interval between the seizure and the hearing; and counsel for the claimants has made a strong appeal to the court, urging a denial of the certificate; at the same time, the

generous enclivity which he bestows on the collector, in which I* is understood to express the prevailing sentiment of the commercial community, would seem to render the apprehensions of unworthy or improper motive in this seizure, improbable, and not to be imputed to the collector without the fullest evidence.

That mutual courtesy between the officers and the merchant, without relinquishment of right on one side, or dereliction of duty on the other, which commenced in this collection district, with the venerable general Lincoln, has been laudably continued with his successors, and the present collector is understood fully to estimate the high considerations which recommend such dispositions and deportment, and to exhibit the influence of such sentiments in official transactions, interacting from their magnitude, and often perplexing in their character, have proceeded to a satisfactory conclusion, in a manner, and with a temper, which it is gratifying to contemplate. I may ask allowance for grateful indulgence in these recognitions. The duties of the situation in which I have been placed, through a greater part of the period to which I have adverted, have been better treated, by the dispositions which have prevailed in this highly commercial district, in which a great portion of the business of this court usually originates. The incident controversies and concerns of trade and revenue, would have been rendered particularly irksome, but from a manifestation of a liberal spirit, which looked at objects in their substantial character and relations, and seldom gave to the legal arena any discomposing features.

It seems to have been intimated, or imagined, that the collector was influenced by some improper feeling or suspicion in reference to the owners of the *Moscow* or some one of them. I see no evidence of this. Capt. Rich, the senior owner, and who had the principal agency in the intercourse with the collector, on this subject, doubtless, fully believed that the *Moscow* was no more than suitably and reasonably supplied with articles which were necessary or important to her service for her next navigation, in her homeward voyage. The collector, it should be supposed, was equally honest and sincere in the belief, that the vessel was sufficiently well found, for the purpose of her voyage, in what is called ground tackle, without the supply of the new stream cable and hawser; and indirect or unworthy motives, on either side, should not be hastily adopted and entertained. While the addition of necessary articles to ship's furniture, abroad, free of duty, from their attachment to the ship, it is admitted, is not a matter for her master to be liable to abuse. In England, we find it became necessary to guard against such abuses by statute provisions. A law imposing duties on foreign sails or sailcloth was only applicable, in terms, to such as should be brought into the kingdom by way of merchandise. "But this act was evaded," says the authority* to which I refer, "for it requiring foreign sails or sailcloth to be brought in by way of merchandise, British ships used to go upon voyages with old worn out sets of sails, and buy sets of sails abroad; and to put a stop to this evasion, the act 19, Geo. 2, c. 37, enacts that every master of a ship, belonging to any of his majesty's subjects, navigated with any foreign made sails on board, shall make an entry and report of them; and that every ship built in Great Britain, or his majesty's plantations in America, on her first setting out, should be furnished with a set of sails manufactured in Great Britain." We have no statute provisions expressly framed or calculated for keeping an admitted practice, of liberal and indulgent character, within fit and reasonable limits; and an excess in procuring, abroad, articles professedly for vessels' use, and introducing them free of duty, can only be obviated or prevented by proper notice on the part of officers, of cases which may occur, falling under their cognizance.

The present instance, that there was no sudden movement on the part of the collector. The ground tackle of the *Moscow*, on her departure from the United States, consisted of a chain cable, a hempen bower and stream cable, and a hawser. She returned with the addition of a new hempen bower cable, a stream cable and hawser, and the old articles of corresponding description still remained on board. The collector was of opinion, that there was an excess in this additional supply, and that all the articles, thus purchased and taken on board at Cronstadt, should be rated, as liable to duty. The ultimate seizure of the stream cable and hawser, was the result of several days' deliberation, and after consultation with the surveyor and naval officer and the district attorney, and recurrence to instructions from the treasury department, in cases considered analogous. In finally determining on the seizure the bower cable was omitted, because it appeared it had been furnished for use, on occasion of another cruise, in the passage from Cronstadt. In the seizure of the articles, which will not be decreed to be restored, there was mistake in fact or in law.—If the facts had sustained the collector's opinion, that the articles were not necessary for the vessel's use, and it still should have clearly appeared, that they belong not to the master, mate or crew, they were not liable to condemnation and seizure. In such case, the collector would be under a mistake as to the law, unless it should be thought reasonable for the collector to be held responsible for the part owners, who was master of the vessel. But it is of little importance to inquire, particularly, whether the mistake were in fact or in law, according to the rule of law on this subject by which we are governed. Chief Justice Marshall, in delivering the opinion of the supreme court of the United States, in the case referred to by the district attorney. [*United States vs. Riddle*, 5 Cr. 317] observes, that as the construction of the law was liable to some question, the court would suffer the certificate of probable cause to remain.—"A doubt," it is added, "as to the true construction of the law, is as reasonable a cause for seizure as a doubt respecting the fact."

In the present case, the collector, as appears to me, acted with a sincere conviction that he was in the correct and requisite per-

*Parker's revenue cases in the exchequer.

formance of his official duty, without any culpable or unworthy motive. I shall therefore accompany the decree of restoration, with a certificate of reasonable cause.

GENERAL POST OFFICE.

REPORT OF THE POSTMASTER GENERAL.

Post office department, 28th November, 1831.

To the president of the United States:

SIR: The following report of the progress and condition of this department is respectfully submitted.

The revenues of the department, being the amount of postages within the year, commencing on the 1st of July, 1830, and ending the 30th of June, 1831, were

\$1,997,811 54
The expenditures of the department, within the same period, were
1,935,559 36
Being for compensation to postmasters
\$635,028 48
For transportation of the mail
1,252,226 44
For incidental expenses
48,304 44

Leaving an excess of revenue beyond the expenses of the department, amounting to

62,252 18

Of this sum there have been paid into the treasury, (being irregularly deposited by collecting officers),

563 51

Showing a balance in favor of the department, of

61,688 67

The surplus of revenue on the 1st July, 1830, as stated in the report of last year, amounted to

148,724 22

Thus the surplus revenue at the disposal of the department on the 1st of July, 1831 was

\$210,412 89

This surplus, reported as available, and at the disposal of the department, is founded on the statement in the report of the late postmaster general, of 1828, and on the assumption that all the postages which have accrued since my first report in 1829, will have been collected. Of the postages returned within that time, it is confidently believed the losses, in collection will not amount to one fourth of one per centum.

The whole amount of postages from July 1st, 1828, to July 1st, 1829, was	\$1,707,418 42
From July 1st, 1829, to July 1st, 1830	1,850,583 10
From July 1st, 1830, to July 1st 1831	1,997,811 54

The increase of postages within the year ending July 1st, 1829, above the amount of the year preceding, was

\$108,540 47

The increase of the year ending July 1st, 1830, above the amount of the year preceding, was

143,164 68

The increase of the year ending July 1st, 1831, above the amount of the year preceding, was

147,228 44

The expenses of the department for the year preceding July 1st, 1828, exceeded its revenues in the sum of

\$25,015 80

For the year preceding July 1st, 1829

74,714 15

For the year preceding July 1st, 1830

82,124 85

But for the year preceding July 1st, 1831, the revenues of the department have exceeded its expenditures in the sum of

62,252 18

The favorable terms upon which the contracts were last year made for the transportation of the mail in the southern division, commencing on the 1st day of January last, have assisted in producing the result exhibited by the following fact:—The revenue of the department for the half year beginning with the 1st of January last exceeded the expenditure for the same period in the sum of

\$75,475 91

Whereas for the half year preceding the 1st January, 1831, the expenditures exceeded the revenue in the sum of

13,223 73

The difference in which results constitutes the excess of revenue over disbursements for the year now reported, of

62,252 18

From the 1st of July, 1830, to the 1st July, 1831, the transportation of the mail was increased in stages equal to

834,450 miles a year

On horseback and in sulkies

134,252 miles a year

Making an annual increase of transportation equal to

968,702 miles beyond the amount of any former period.

Many routes have also been improved, by substituting stages for horse mails, to the annual amount of

362,321 miles.

The total annual increase of stage transportation from July 1, 1830, to July 1, 1831, was

1,196,771 miles

The annual decrease of transportation, on horseback, within the same time, by substituting stages, was

228,069 miles

Making the annual increase as above,

equal to

968,702 miles

On the 1st of July, 1831, the annual transportation of the mail was,

in stages and steamboats

10,728,343 miles

On horseback and in sulkies

4,740,344 miles

Making the whole annual transportation equal to

15,468,692 miles

Other improvements are also determined on, in which remote parts of the country are immediately interested; among them are, the establishment of a regular steamboat mail on the river Ohio, between Guyandotte, in Virginia, Cincinnati, in Ohio, and Louisville, in Kentucky; to form a daily connexion with the line of post coaches from this place, and from Richmond, in Virginia, to Guyandotte; and the improvement of the route to a daily line between Macon, in Georgia, Mobile, in Alabama, and New Orleans, so as to constitute a daily intercourse between New Orleans and the Atlantic cities, with a despatch of twelve days between New Orleans and this city.

These two improvements are already in a state of progress, and it is expected will soon be in complete operation.

The contracts for transporting the mails in the middle division of the union, comprising the states of New Jersey, Pennsylvania, Delaware, Maryland, Kentucky, and Ohio, and the territory of Michigan, will end with the present year. In renewing the contracts for this division, provision has been made for stage accommodation over 560 miles of post roads, on which the mail had before been carried on horseback, and on which the annual transportation in stages will, from the 1st of January next, amount to 62,365 miles. On 1,803 miles of post roads, where the mail is already carried in stages, the frequency of trips will also be increased to the annual amount of 407,524 miles. By these arrangements an annual increase of stage transportation is secured from the 1st of January next, of 469,889 miles on that section. The value of those improvements, at the lowest estimate, is as follows:

469,889 miles of stage transportation, at 9 cents per mile,

\$42,290 01

Deduct 62,365 miles of horse transportation superseded by stages, at 4 cents per mile,

2,494 60

Net value of the improvement,

\$39,795 41

The acceptances for the new contracts, besides the securing of these improvements, are not so great as the amount now paid for the transportation on that division, by \$51,787 18. The renewal of the contracts, therefore, saves in money to the department, the sum of

51,787 18

Which added to the value of the improvements, affect a saving of

91,582 59

Other improvements, highly important in their character, are proposed, the decisions on which have been deferred for further consideration.—It is, however, anticipated from the saving which has been effected in renewing the contracts, that the department will possess the ability to make some further improvements in this division of mail routes.

There were on the 1st of July last, 8,686 post offices. To the plan adopted for their supervision, and the vigilance with which it is observed, together with the system of finance which is strictly adhered to, may be attributed, in no small degree, the increasing prosperity of the department.

I have the honor to be, with high regard, your obedient servant,
W. T. BARRY.

PRESIDENT'S MESSAGE.

*Fellow-citizens of the senate,
and house of representatives:*

The representation of the people has been renewed for the twenty-second time since the constitution they formed has been in force. For near half a century the chief magistrates who have been successively chosen have made their annual communications of the state of the nation to its representatives. Generally, these communications have been of the most gratifying nature, testifying an advance in all the improvements of social, and all the securities of political life. But frequently, and justly, as you have been called on to be grateful for the bounties of Providence, at few periods have they been more abundantly or extensively bestowed than at the present: rarely, if ever, have we had greater reason to congratulate each other on the continued and increasing prosperity of our beloved country.

Agriculture, the first and most important occupation of man, has compensated the labors of the husbandman with plentiful crops of all the varied products of our extensive country. Manufactures have been established, in which the funds of the capitalist find a profitable investment, and which give employment and subsistence to a numerous and increasing body of industrious and dextrous mechanics. The laborer is rewarded by high wages, in the construction of works of internal improvement, which are extending with unprecedented rapidity. Science is steadily penetrating the recesses of nature, and disclosing her secrets, while the ingenuity of free minds is subjecting the elements to the power of man, and making each new conquest auxiliary to his comfort. By our mails, whose speed is regularly increased, and whose routes are every year extended, the communication of public intelligence and private business is rendered frequent and safe—the intercourse between distant cities, which it formerly required weeks to accomplish, is now effected in a few days; and in the construction of rail roads, and the application of steam power, we have a reasonable prospect that the extreme parts of our country will be so much approximated, and those most isolated by the obstacles of nature, rendered so accessible as to remove an apprehension, sometimes entertained, that the great extent of the union would endanger its permanent existence.

If, from the satisfactory view of our agriculture, manufactures, and internal improvements, we turn to the state of our navigation and trade with foreign nations, and between the states, we shall scarcely find less cause for gratulation. A beneficent Providence has provided, for their exercise and encouragement, an extensive coast indented by capacious bays, noble rivers, inland seas, with a country productive of every material for ship building, and every commodity for gainful commerce, and filled with a population active, intelligent, well informed, and fearless of danger. These advantages are not neglected; and an impulse has lately been given to commercial enterprise, which fills our ship-yards with new constructions, encourages all the arts and branches of industry connected with them, crowds the wharves of our cities with vessels, and covers the most distant seas with our canvass.

Let us be grateful for these blessings to the beneficent Being who has conferred them, and who suffers us to indulge a reasonable hope of their continuance and extension, while we neglect not the means by which they may be preserved. If we may dare to judge of His future de-

signs by the manner in which His past favors have been bestowed, he has made our national prosperity to depend on the preservation of our liberties—our national force on our federal union—and our individual happiness on the maintenance of our state rights and wise institutions. If we are prosperous at home, and respected abroad, it is because we are free, united, industrious, and obedient to the laws. While we continue so, we shall, by the blessing of heaven, go on in the happy career we have begun, and which has brought us, in the short period of our political existence, from a population of three to thirteen millions—from thirteen separate colonies to twenty-four United States—from weakness to strength—from a rank scarcely marked in the scale of nations to a high place in their respect.

This last advantage is one that has resulted, in a great degree, from the principles which have guided our intercourse with foreign powers, since we have assumed an equal station among them: and hence, the annual account which the executive renders to the country, of the manner in which that branch of his duties has been fulfilled, proves instructive and salutary.

The pacific and wise policy of our government kept us in a state of neutrality during the wars that have, at different periods since our political existence, been carried on by other powers: but this policy, while it gave activity and extent to our commerce, exposed it in the same proportion to injuries from the belligerent nations. Hence have arisen claims of indemnity for those injuries. England, France, Spain, Holland, Sweden, Denmark, Naples, and lately Portugal, had all, in a greater or less degree, infringed our neutral rights. Demands for reparation were made upon all. They have had in all, and continue to have in some cases, a leading influence on the nature of our relations with the powers on whom they were made.

Of the claims upon England it is unnecessary to speak, further than to say, that the state of things to which their prosecution and denial gave rise has been succeeded by arrangements, productive of mutual good feeling and amicable relations between the two countries, which it is hoped will not be interrupted. One of these arrangements is that relating to the colonial trade, which was communicated to congress at the last session; and although the short period during which it has been in force will not enable me to form an accurate judgment of its operation, there is every reason to believe that it will prove highly beneficial. The trade thereby authorized has employed, to the 30th September last, upwards of 30,000 tons of American, and 15,000 tons of foreign shipping in the outward voyages; and, in the inward, nearly an equal amount of American, and 20,000 only of foreign tonnage. Advantages too, have resulted to our agricultural interests from the state of the trade between Canada and our territories and states bordering on the St. Lawrence and the lakes, which may prove more than equivalent to the loss sustained by the discrimination made to favor the trade of the northern colonies with the West Indies.

After our transition from the state of colonies to that of an independent nation, many points were found necessary to be settled between us and Great Britain. Among them was the demarcation of boundaries, not described with sufficient precision in the treaty of peace. Some of the lines that divide the states and territories of the United States, from the British provinces, have been definitively fixed. That, however, which separates us from the provinces of Canada and New Brunswick to the north and the east, was still in dispute when I came into office. But I found arrangements made for its settlement, over which I had no control. The commissioners who had been appointed under the provisions of the treaty of Ghent, having been unable to agree, a convention was made with Great Britain by my immediate predecessor in office, with the advice and consent of the senate, by which it was agreed that the points of difference which have arisen in the settlement of the boundary line between the American and British dominions, as described in the 5th article of the treaty of Ghent, shall be referred as therein provided, to some friendly sovereign or state, who shall be invited to investigate, and make a decision upon such points of difference; and the king of the Netherlands having, by the late pro-

sident and his Britannic majesty, been designated as such friendly sovereign, it became my duty to carry, with good faith, the agreement so made into full effect. To this end I caused all the measures to be taken which were necessary to a full exposition of our case to the sovereign arbiter; and nominated as minister plenipotentiary to his court, a distinguished citizen of the state most interested in the question, and who had been one of the agents previously employed for settling the controversy. On the 10th day of January last, his majesty the king of the Netherlands delivered to the plenipotentiaries of the United States, and of Great Britain, his written opinion on the case referred to him. The papers in relation to the subject will be communicated, by a special message, to the proper branch of the government, with the perfect confidence that its wisdom will adopt such measures as will secure an amicable settlement of the controversy, without infringing any constitutional right of the states immediately interested.

It affords me satisfaction to inform you that suggestions, made by my direction to the charge d'affairs of his Britannic majesty, to this government, have had their desired effect in producing the release of certain American citizens who were imprisoned for setting up the authority of the state of Maine, at a place in the disputed territory under the actual jurisdiction of his Britannic majesty. From this, and the assurances I have received of the desire of the local authorities to avoid any cause of collision, I have the best hopes that a good understanding will be kept up until it is confirmed by the final disposition of the subject.

The amicable relations which now subsist between the United States and Great Britain, the increasing intercourse between their citizens, and the rapid obliteration of unfriendly prejudices to which former events naturally gave rise—concur to present this as a fit period for renewing our endeavors to provide against the recurrence of causes of irritation, which, in the event of war between Great Britain and any other power, would inevitably endanger our peace. Animated by the sincerest desire to avoid such a state of things, and peacefully to secure, under all possible circumstances, the rights and honor of the country, I have given such instructions to the minister lately sent to the court of London, as will evince that desire; and if met by a correspondent disposition, which we cannot doubt, will put an end to causes of collision, which, without advantage to either, tend to estrange from each other two nations who have every motive to preserve, not only peace, but an intercourse of the most amicable nature.

In my message at the opening of the last session of congress, I expressed a confident hope that the justice of our claims upon France, urged as they were with perseverance and signal ability by our minister there, would finally be acknowledged. This hope has been realized. A treaty has been agreed, which will immediately be laid before the senate, for its approbation; and which, containing stipulations that require legislative acts, must have the concurrence of both houses before it can be carried into effect. If it, the French government engage to pay a sum which, if not quite equal to that which may be found due to our citizens, will yet, it is believed, under all circumstances, be deemed satisfactory by those interested. The offer of a gross sum, instead of the satisfaction of each individual claim, was accepted, because the only alternatives were a rigorous exaction of the whole amount stated to be due on each claim, which might, in some instances, be exaggerated by design, in others over-rated through error, and which, therefore, it would have been both ungracious and unjust to have insisted on, or a settlement by a mixed commission, to which the French negotiators were very averse, and which experience in other cases had shown to be dilatory, and often wholly inadequate to the end. A comparatively small sum is stipulated on our part, to go to the extinction of all claims by French citizens on our government; and a reduction of duties on our cotton and their wines has been agreed on, as a consideration for the remission of an important claim for commercial privileges under the construction they gave to the treaty for the cession of Louisiana.

Should this treaty receive the proper sanction, a source of irritation will be stopped, that has, for so many

years, in some degree alienated from each other two nations, who, from interest as well as the remembrance of early associations, ought to cherish the most friendly relations—an encouragement will be given for perseverance in the demands of justice, by this new proof, that, if steadily pursued, they will be listened to—and admonition will be offered to those powers, if any, which may be inclined to evade them, that they will never be abandoned. Above all, a just confidence will be inspired in our fellow citizens, that their government will exert all the powers with which they have invested it, in support of their just claims upon foreign nations; at the same time that the frank acknowledgment and provision for the payment of those which are addressed to our equity, although unsupported by legal proof, affords a practical illustration of our submission to the divine rule of doing to others what we desire they should do unto us.

Sweden and Denmark having made compensation for the irregularities committed by their vessels, or in their ports, to the perfect satisfaction of the parties concerned, and having renewed the treaties of commerce entered into with them, our political and commercial relations with those powers continue to be on the most friendly footing.

With Spain, our differences up to the 22d of February, 1819, were settled by the treaty of Washington of that date; but, at a subsequent period, our commerce with the states, formerly colonies of Spain, on the continent of America, was annoyed and frequently interrupted by her public and private armed ships. They captured many of our vessels prosecuting a lawful commerce, and sold them and their cargoes; and at one time, to our demands for restoration and indemnity, opposed the allegation, that they were taken in the violation of a blockade of all the ports of those states. This blockade was declaratory only, and the inadequacy of the force to maintain it, was so manifest, that this allegation was varied to a charge of trade in contraband of war. This, in its turn, was also found untenable; and the minister whom I sent with instructions to press for the reparation that was due to our injured fellow citizens, has transmitted an answer to his demand, by which the captures are declared to have been legal, and are justified, because the independence of the states of America never having been acknowledged by Spain, she had a right to prohibit trade with them under her old colonial laws. This ground of defence was contradictory, not only to those which had been formerly alleged, but to the uniform practice and established laws of nations; and had been abandoned by Spain herself in the convention which granted indemnity to British subjects for captures, made at the same time, under the same circumstances, and for the same allegations with those of which we complain.

I however indulge the hope that further reflection will lead to other views, and feel confident that when his catholic majesty shall be convinced of the justice of the claim, his desire to preserve friendly relations between the two countries, which it is my earnest endeavor to maintain, will induce him to accede to our demand. I have therefore despatched a special messenger with instructions to our minister to bring the case once more to his consideration; to the end that if, which I cannot bring myself to believe, the same decision, that cannot but be deemed an unfriendly denial of justice, should be persisted in, the matter may, before your adjournment, be laid before you, the constitutional judges of what is proper to be done when negotiation for redress of injury fails.

The conclusion of a treaty for indemnity with France seemed to present a favorable opportunity to renew our claims of a similar nature on other powers, and particularly in the case of those upon Naples, more especially as in the course of former negotiations with that power, our failure to induce France to render us justice was used as an argument against us. The desires of the merchants who were the principal sufferers have therefore been acceded to, and a mission has been instituted for the special purpose of obtaining for them a reparation already too long delayed. This measure having been resolved on, it was put in execution without waiting for the meeting of congress, because the state of Europe created an apprehension of events that might have rendered our application ineffectual.

Our demands upon the government of the Two Sicilies are of a peculiar nature: The injuries on which they are founded are not denied, nor are the atrocity and perfidy under which those injuries were perpetrated attempted to be extenuated. The sole ground on which indemnity has been refused is the alleged illegality of the tenure by which the monarch who made the seizures held his crown. This defence, always unfounded in any principle of the law of nations—now universally abandoned, even by those powers upon whom the responsibility for acts of past rulers bore the most heavily, will unquestionably be given up by his Sicilian majesty; whose counsels will receive an impulse from that high sense of honor and regard to justice which are said to characterize him; and I feel the fullest confidence that the talents of the citizen commissioned for that purpose will place before him the just claims of our injured citizens in such a light as will enable me, before your adjournment, to announce that they have been adjusted and secured. Precise instructions, to the effect of bringing the negotiation to a speedy issue, have been given and will be obeyed.

In the late blockade of Terceira, some of the Portuguese fleet captured several of our vessels and committed other excesses, for which reparation was demanded; and I was on the point of despatching an armed force, to prevent any recurrence of a similar violence and protect our citizens in the prosecution of their lawful commerce, when official assurances, on which I relied, made the sailing of the ships unnecessary. Since that period frequent promises have been made that full indemnity shall be given for the injuries inflicted and the losses sustained. In the performance there has been some, perhaps unavoidable delay; but I have the fullest confidence that my earnest desire that this business may at once be closed, which our minister has been instructed strongly to express, will very soon be gratified. I have the better ground for this hope, from the evidence of a friendly disposition which that government has shewn by an actual reduction in the duty on rice, the produce of our southern states, authorising the anticipation that this important article of our export will soon be admitted on the same footing with that produced by the most favored nation.

With the other powers of Europe, we have fortunately had no cause of discussions for the redress of injuries. With the empire of the Russians, our political connexion is of the most friendly, and our commercial, of the most liberal kind. We enjoy the advantages of navigation and trade, given to the most favored nation: but it has not yet suited their policy, or perhaps has not been found convenient from other considerations, to give stability and reciprocity to those privileges, by a commercial treaty. The ill health of the minister last year charged with making a proposition for that arrangement, did not permit him to remain at St. Petersburg, and the attention of that government, during the whole of the period since his departure, having been occupied by the war in which it was engaged, we have been assured that nothing could have been effected by his presence. A minister will soon be nominated, as well to effect this important object, as to keep up the relations of amity and good understanding of which we have received so many assurances and proofs from his imperial majesty and the emperor his predecessor.

The treaty with Austria is opening to us an important trade with the hereditary dominions of the emperor, the value of which has been hitherto little known, and of course not sufficiently appreciated. While our commerce finds an entrance into the south of Germany by means of this treaty, those we have formed with the Hanseatic towns and Prussia, and others now in negotiation, will open that vast country to the enterprising spirit of our merchants, on the north: a country abounding in all the materials for a mutually beneficial commerce, filled with enlightened and industrious inhabitants, holding an important place in the politics of Europe, and to which we owe so many valuable citizens. The ratification of the treaty with the Porte was sent to be exchanged by the gentleman appointed our charge d'affaires to that court. Some difficulties occurred on his arrival; but at the date of his last official despatch, he supposed

they had been obviated, and that there was every prospect of the exchange being speedily effected.

This finishes the connected view I have thought it proper to give of our political and commercial relations in Europe. Every effort in my power will be continued to strengthen and extend them by treaties founded on principles of the most perfect reciprocity of interest, neither asking nor conceding any exclusive advantage, but liberating, as far as it lies in my power, the activity and industry of our fellow-citizens from the shackles which foreign restrictions may impose.

To China and the East Indies, our commerce continues in its usual extent and with increased facilities, which the credit and capital of our merchants afford, by substituting bills for payments in specie. A daring outrage having been committed in those seas, by the plunder of one of our merchantmen engaged in the pepper trade, at a port in Sumatra, and the piratical perpetrators belonging to tribes in such a state of society, that the usual course of proceedings between civilized nations could not be pursued, I forthwith despatched a frigate with orders to require immediate satisfaction for the injury, and indemnity to the sufferers.

Few changes have taken place in our connexions with the independent states of America since my last communication to congress. The ratification of a commercial treaty with the united republics of Mexico has been for some time under deliberation in their congress, but was still undecided at the date of our last despatches. The unhappy civil commotions that have prevailed there, were undoubtedly the cause of the delay; but as the government is now said to be tranquilized, we may hope soon to receive the ratification of the treaty, and an arrangement for the demarcation of the boundaries between us. In the mean time an important trade has been opened, with mutual benefit, from St. Louis in the state of Missouri, by caravans, to the interior provinces of Mexico. This commerce is protected in its progress through the Indian countries by the troops of the United States, which have been permitted to escort the caravans, beyond our boundaries to the settled part of the Mexican territory.

From Central America I have received assurances of the most friendly kind, and a gratifying application for our good offices to remove a supposed indisposition towards that government in a neighboring state; this application was immediately and successfully complied with. They gave us also the pleasing intelligence that differences which had prevailed in their internal affairs had been peaceably adjusted. Our treaty with the republic continues to be faithfully observed, and promises a great and beneficial commerce between the two countries; a commerce of the greatest importance, if the magnificent project of a ship canal through the dominions of that state, from the Atlantic to the Pacific ocean, now in serious contemplation, shall be executed.

I have great satisfaction in communicating the success which has attended the exertions of our minister in Columbia to procure a very considerable reduction in the duties on our flour in that republic. Indemnity, also, has been stipulated for injuries received by our merchants from illegal seizures; and renewed assurances are given that the treaty between the two countries shall be faithfully observed.

Chili and Peru seem to be still threatened with civil commotions; and, until they shall be settled, disorders may naturally be apprehended, requiring the constant presence of a naval force in the Pacific ocean, to protect our fisheries and guard our commerce.

The disturbances that took place in the empire of Brazil, previously to, and immediately consequent upon, the abdication of the late emperor, necessarily suspended any effectual application for the redress of some past injuries suffered by our citizens from that government, while they have been the cause of others, in which all foreigners seem to have participated. Instructions have been given to our minister there, to press for indemnity due for losses occasioned by these irregularities; and to take care that our fellow-citizens shall enjoy all the privileges stipulated in their favor, by the treaty lately made between the two powers, all which, the good intelligence that prevails between our minister at Rio Janeiro and the regency, gives us the best reason to expect.

I should have placed Buenos Ayres in the list of south American powers in respect to which nothing of importance affecting us was to be communicated, but for occurrences which have lately taken place at the Falkland Islands, in which the name of that republic has been used to cover with a show of authority, acts injurious to our commerce, and to the property and liberty of our fellow citizens. In the course of the present year, one of our vessels engaged in the pursuit of a trade which we have always enjoyed, without molestation, has been captured by a band acting, as they pretend, under the authority of the government of Buenos Ayres. I have therefore given orders for the despatch of an armed vessel, to join our squadron in those seas, and aid in affording all lawful protection to our trade which shall be necessary; and shall without delay send a minister to inquire into the nature of the circumstances, and also of the claim, if any, that is set up by that government, to those islands. In the mean time I submit the case to the consideration of congress, to the end that they may clothe the executive with such authority and means as they may deem necessary for providing a force adequate to the complete protection of our fellow-citizens fishing and trading in those seas.

This rapid sketch of our foreign relations, it is hoped, fellow citizens, may be of some use in so much of your legislation as may bear on that important subject; while it affords to the country at large a source of high gratification in the contemplation of our political and commercial connexion with the rest of the world. At peace with all—having subjects of future difference with few, and those susceptible of easy adjustment—extending our commerce gradually on all sides, and on none by any but the most liberal and mutually beneficial means—we may, by the blessing of Providence, hope for all that national prosperity which can be derived from an intercourse with foreign nations, guided by those eternal principles of justice and reciprocal good will, which are binding as well upon states, as the individuals of whom they are composed.

I have great satisfaction in making this statement of our affairs, because the course of our national policy enables me to do it without any indirect exposure of what in other governments is usually concealed from the people. Having none but a straight-forward open course to pursue—guided by a single principle that will bear the strongest light—we have happily no political combinations to form, no alliances to entangle us, no complicated interests to consult; and in subjecting all we have done to the consideration of our citizens, and to the inspection of the world, we give no advantage to other nations, and lay ourselves open to no injury.

It may not be improper to add that, to preserve this state of things, and give confidence to the world in the integrity of our designs, all our consular and diplomatic agents are strictly enjoined to examine well every cause of complaint preferred by our citizens; and, while they urge with proper earnestness those that are well founded, to countenance none that are unreasonable or unjust, and to enjoin on our merchants and navigators the strictest obedience to the laws of the countries to which they resort, and a course of conduct in their dealings that may support the character of our nation, and render us respected abroad.

Connected with this subject, I must recommend a revival of our consular laws. Defects and omissions have been discovered in their operation, that ought to be remedied and supplied. For your further information on this subject, I have directed a report to be made by the secretary of state, which I shall hereafter submit to your consideration.

The internal peace and security of our confederated states, is the next principal object of the general government. Time and experience have proved that the abode of the native Indian within their limits is dangerous to their peace, and injurious to themselves. In accordance with my recommendation at a former session of congress, an appropriation of half a million of dollars was made to aid the voluntary removal of the various tribes beyond the limits of the states. At the last session I had the happiness to announce that the Chickasaws and Choctaws had accepted the generous offer of the government, and agreed to remove beyond the Mississippi river, by

which the whole of the state of Mississippi and the western part of Alabama will be freed from Indian occupancy, and opened to a civilized population. The treaties with these tribes are in a course of execution, and their removal, it is hoped, will be completed in the course of 1832.

At the request of the authorities of Georgia, the registration of Cherokee Indians for emigration has been resumed, and it is confidently expected that one half, if not two thirds of that tribe, will follow the wise example of their more westerly brethren. Those who prefer remaining at their homes will hereafter be governed by the laws of Georgia, as all her citizens are, and cease to be the objects of peculiar care on the part of the general government.

During the present year, the attention of the government has been particularly directed to those tribes in the powerful and growing state of Ohio, where considerable tracts of the finest lands were still occupied by the aboriginal proprietors. Treaties, either absolute or conditional, have been made, extinguishing the whole Indian title to the reservations in that state; and the time is not distant, it is hoped, when Ohio will be no longer embarrassed with the Indian population. The same measure will be extended to Indiana, as soon as there is reason to anticipate success.

It is confidently believed, that perseverance for a few years in the present policy of the government, will extinguish the Indian title to all lands lying within the states composing our federal union, and remove beyond their limits every Indian who is not willing to submit to their laws. Thus will all conflicting claims to jurisdiction between the states and the Indian tribes be put to rest. It is pleasing to reflect, that results so beneficial, not only to the states immediately concerned, but to the harmony of the union, will have been accomplished, by measures equally advantageous to the Indians. What the native savages become when surrounded by a dense population, and by mixing with the whites, may be seen in the miserable remnants of a few eastern tribes, deprived of political and civil rights, forbidden to make contracts, and subjected to guardians, dragging out a wretched existence, without excitement, without hope, and almost without thought.

But the removal of the Indians beyond the limits and jurisdiction of the states, does not place them beyond the reach of philanthropic aid and Christian instruction. On the contrary, those whom philanthropy or religion may induce to live among them in their new abode, will be more free in the exercise of their benevolent functions, than if they had remained within the limits of the states, embarrassed by their internal regulations. Now, subject to no control but the superintending agency of the general government, exercised with the sole view of preserving peace, they may proceed unmolested in the interesting experiment of gradually advancing a community of American Indians from barbarism to the habits and enjoyments of civilized life.

Among the happiest effects of the improved relations of our republic, has been an increase of trade, producing a corresponding increase of revenue, beyond the most sanguine anticipations of the treasury department.

The state of the public finances will be fully shewn by the secretary of the treasury, in the report which he will presently lay before you. I will here, however, congratulate you upon their prosperous condition. The revenue received in the present year will not fall short of twenty-seven millions, seven hundred thousand dollars; and the expenditures for all objects, other than the public debt, will not exceed fourteen millions, seven hundred thousand. The payment on account of the principal and interest of the debt, during the year, will exceed sixteen millions and a half of dollars: a greater sum than has been applied to that object, out of the revenue, in any year since the enlargement of the sinking fund, except the two years following immediately thereafter. The amount which will have been applied to the public debt from the 4th of March, 1829, to the first of January next, which is less than three years since the administration has been placed in my hands, will exceed forty millions of dollars.

From the large importations of the present year, it may be safely estimated that the revenue which will be

received into the treasury from that source during the next year, with the aid of that received from the public lands, will considerably exceed the amount of the receipts of the present year; and it is believed that with the means which the government will have at its disposal, from various sources, which will be fully stated by the proper department, the whole of the public debt may be extinguished, either by redemption or purchase, within the four years of my administration. We shall then exhibit the rare example of a great nation, abounding in all the means of happiness and security, altogether free from debt.

The confidence with which the extinguishment of the public debt may be anticipated, presents an opportunity for carrying into effect more fully the policy in relation to import duties, which has been recommended in my former messages. A modification of the tariff, which shall produce a reduction of our revenue to the wants of the government, and an adjustment of the duties on imports with a view to equal justice in relation to all our national interests, and to the counteraction of foreign policy, so far as it may be injurious to those interests, is deemed to be one of the principal objects which demand the consideration of the present congress. Justice to the interests of the merchant as well as the manufacturer, requires, that material reductions in the import duties be prospective; and unless the present congress shall dispose of the subject, the proposed reductions cannot properly be made to take effect at the period when the necessity for the revenue, arising from present rates, shall cease. It is, therefore, desirable, that arrangements be adopted at your present session, to relieve the people from unnecessary taxation, after the extinguishment of the public debt. In the exercise of that spirit of concession and conciliation which has distinguished the friends of our union in all great emergencies, it is believed that this object may be effected without injury to any national interest.

In my annual message of December, 1829, I had the honor to recommend the adoption of a more liberal policy, than that which then prevailed towards unfortunate debtors to the government; and I deem it my duty again to invite your attention to this subject.

Actuated by similar views, congress, at their last session, passed an act for the relief of certain insolvent debtors of the United States; but the provisions of that law have not been deemed such as were adequate to that relief to this unfortunate class of our fellow citizens, which may be safely extended to them. The points in which the law appears to be defective will be particularly communicated by the secretary of the treasury; and I take pleasure in recommending such an extension of its provisions as will unfetter the enterprise of a valuable portion of our citizens, and restore to them the means of usefulness to themselves and the community. While deliberating upon this subject, I would also recommend to your consideration the propriety of so modifying the laws for enforcing the payment of debts, due either to the public, or to individuals suing in the courts of the United States, as to restrict the imprisonment of the person to cases of fraudulent concealment of property. The personal liberty of the citizen seems too sacred to be held, as in many cases it now is, at the will of a creditor to whom he is willing to surrender all the means he has of discharging his debt.

The reports from the secretaries of the war and navy departments, and from the postmaster general, which accompany this message, present satisfactory views of the operations of the departments respectively under their charges, and suggest improvements which are worthy of, and to which I invite the serious attention of congress. Certain defects and omissions having been discovered in the operation of the laws respecting patents, they are pointed out in the accompanying report from the secretary of state.

I have heretofore recommended amendments of the Federal constitution, giving the election of president and vice president to the people, and limiting the service of the former to a single term. So important do I consider these changes in our fundamental law, that I cannot, in accordance with my sense of duty, omit to press them upon the consideration of a new congress. For my views more at large, as well in relation to these points

as to the disqualification of members of congress to receive an office from a president in whose election they have had an official agency, which I proposed as a substitute, I refer you to my former messages.

Our system of public accounts is extremely complicated, and, it is believed, may be much improved. Much of the present machinery, and a considerable portion of the expenditure of public money, may be dispensed with, while greater facilities can be afforded to the liquidation of claims upon the government, and an examination into their justice and legality, quite as efficient as the present, secured. With a view to a general reform in the system, I recommend the subject to the attention of congress.

I deem it my duty again to call your attention to the condition of the District of Columbia. It was doubtless wise in the framers of our constitution, to place the people of this district under the jurisdiction of the general government; but, to accomplish the objects they had in view, it is not necessary that this people should be deprived of all the privileges of self-government. Independently of the difficulty of inducing the representatives of distant states to turn their attention to projects of laws, which are not of the highest interest to their constituents, they are not individually, nor in congress collectively, well qualified to legislate over the local concerns of this district. Consequently, its interests are much neglected, and the people are almost strait to present their grievances, least a body, in which they are not represented, and which feels little sympathy in their local relations, should, in its attempt to make laws for them, do more harm than good. Governed by the laws of the states whence they were severed, the two shores of the Potomac within the ten miles square, have different penal codes: not the present codes of Virginia and Maryland, but such as existed in those states, at the time of the cession to the United States. As congress will not form a new code, and as the people of the district cannot make one for themselves, they are virtually under two governments. Is it not just to allow them at least a delegate in congress, if not a local legislature, to make laws for the district, subject to the approval or rejection of congress? I earnestly recommend the extension to them of every political right which their interests require, and which may be compatible with the constitution.

The extension of the judiciary system of the United States is deemed to be one of the duties of government. One fourth of the states in the union do not participate in the benefits of a circuit court. To the states of Indiana, Illinois, Missouri, Alabama, Mississippi, and Louisiana, admitted into the union since the present judicial system was organized, only a district court has been allowed. If this be sufficient, then the circuit courts, already existing in eighteen states, ought to be abolished; if it be not sufficient, the defect ought to be remedied, and these states placed on the same footing with the other members of the union. It was on this condition, and on this footing, that they entered the union; and they may demand circuit courts as a matter, not of concession, but of right. I trust that congress will not adjourn, leaving this anomaly in our system.

Entertaining the opinions heretofore expressed in relation to the bank of the United States, as at present organized, I felt it my duty, in my former messages, frankly to disclose them, in order that the attention of the legislature and the people should be seasonably directed to that important subject, and that it might be considered and finally disposed of in a manner best calculated to promote the ends of the constitution, and subserve the public interests. Having thus conscientiously discharged a constitutional duty, I deem it proper, on this occasion, without a more particular reference to the views of the subject then expressed, to leave it for the present to the investigation of an enlightened people and their representatives.

In conclusion, permit me to invoke that Power which superintends all governments, to infuse into your deliberations, at this important crisis of our history, a spirit of mutual forbearance and conciliation. In that spirit was our union formed, and in that spirit must it be preserved.

ANDREW JACKSON.

Washington, December 6, 1851.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 15—VOL. V. BALTIMORE, DEC. 17, 1831.

[VOL. XLI. WHOLE NO. 1,050]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The matter of the present sheet is not various—but no less valuable on that account. Many pages must now be given up to official papers, and the journal of the proceedings of congress. The state legislatures, also in session, present many things that would be gladly laid before my readers. I shall, as before observed, make strong efforts to keep pace with events. The rapidly increasing support of the REGISTER invites them—and encourages a desire to *cheapen* its price as ability is afforded; and yet further extend its circulation. A feeling, perhaps, nearly as strong as a regard for personal profit, leading me to wish the latter—but without any lurking disposition to interfere with the business or pursuits of other publishers.

By an arrangement made, and at extra cost and labor, the very able report of the committee of the New York convention on the manufacture of iron, is published and distributed herewith, as an "Addendum" to the current volume of the REGISTER. A calm and careful examination of the facts it sets forth, is warmly recommended to all. The friends of domestic industry will find encouragement in them, and the advocates of what is called "free trade" much matter for reflection. The examinations of a certain report, is severe—but such errors, (if they may be called by so mild a term), richly merited the ample exposure which they have met with.

From the distant location of the secretary of the committee on iron, and the almost impossibility that errors should not be made in preparing such manuscript statements for the press—a few mistakes were committed by us, and certain corrections have also been made by the author or compiler of the report. None of them are very material—but have been corrected for a part of our impression, and will be so for the numerous copies that are about to be distributed in pamphlet form, by order of the permanent committee.

☞ The annual treasury report has caused much speculation and remark. The "Globe," of the 9th, has thought it necessary to vindicate, or rather *excuse*, the wide range of the secretary, as supposed to interfere with many things that do not belong to his department at all—and the "Telegraph" comments very freely on such interference. The "Globe" also dissents from the opinions of the secretary as to the bank of the United States, and they seem to have given the venerable editor of the "Richmond Enquirer" the horrors—but the strangely moderated tone of the president's message in respect to that institution, ought to have prepared him for something. There are reports of dissensions, on various points, and matters of great interest, and to cause much "excitement," we think, may soon be expected from Washington, and elsewhere.

The treasury report has produced a "sensation." It is given entire in the present sheet, together with that of the secretary of the navy, which fitted the business of the week better than that of the secretary of war, being shorter.

The *National Intelligencer*, speaking of Mr. McLane's report, says—

Perhaps there never was a communication from the executive, or any one of the executive officers of this government, that has produced such a sensation as the annual report of the secretary of the treasury to congress, which we laid before our readers on Thursday last. It would be hazardous to assert which of the nine parties, into which it has been whimsically said that congress is divided, was most astounded by it. For ourselves, we have not been able to draw a long breath since we read it; and cannot pretend to say what we think of it until we have recovered a little from the shock of surprise which it gave us."

VOL. XLI.—No. 20.

NATIONAL REPUBLICAN CONVENTION. As we cannot, in the present sheet, give such an account of the proceedings of the "National Republican Convention," (which met in this city on Monday last), as is due to the character of that assembly and a record of its proceedings, we shall just now only present some of the leading occurrences, intending, as on other like occasions, to preserve the details in our next number, with a list of the members, committees, &c. &c.

The very unusual inclemency of the weather preventing the prompt arrival of many of the delegates, though they had seemingly allowed themselves time enough to be present at the opening of the convention—about 130, however, appeared at 12 o'clock, on Monday, at the Athenaeum, where *gen. Abner Lucock*, of Pennsylvania, was called to the chair, for the time being, and Mr. Thomas P. Ray, of Virginia, appointed secretary.

After attending to some preparatory business, and adopting a plan for the organization of the convention, an adjournment took place until 12 o'clock to-morrow.

Tuesday. The chairman took his seat, and the roll of members was called—and 155 delegates answered to their names, from seventeen states—the delegates from Tennessee not yet having arrived.

The committee on the organization of the convention having reported—

James Harbour, of Virginia, was appointed *president*; Allen Trimble, of Ohio, Joseph Kent, of Maryland, Peter B. Porter, of New York, and Robert Temple, of Vermont, *vice presidents*; and Joseph L. Tillinghast, of Rhode Island, and Henry Bacon, of Ohio, *secretaries*.

Mr. Harbour, on taking his seat, delivered a brief, but spirited address.

After other proceedings, which shall be fully detailed, Mr. Peter R. Livingston, of New York, having made some remarks with great eloquence and power, named HENRY CLAY, of Kentucky, as a candidate for the presidency of the United States; which was received with loud and repeated plaudits.

The roll was then called, and each member rose in his place, and pronounced his distinct approbation of the nomination—there were 155 votes, every one for Mr. Clay. The result was received with repeated cheers, from a great crowd of spectators.

A committee was now appointed to prepare an address to the people of the United States, viz: Messrs. A. H. Everett, of Massachusetts, Steward, of Virginia, Dodd, of New Jersey, Howk, of Indiana, Johns, of Delaware, Cummings, of Maine, and Wilton, of New Hampshire.

A committee of one from each state was named to notify Mr. Clay of his nomination. [These appointed a sub-committee, who proceeded immediately to Washington.]

The convention then adjourned until 12 o'clock to-morrow.

Wednesday. Prayers being offered by the rev. Dr. Wyatt—the president took his seat, and several distinguished gentlemen were invited to take seats within the chamber of the convention. Several new members appeared and gave in their names.

The committee to notify Mr. Clay of his nomination, presented the following letter from him:

Washington, 13th Dec. 1831.

Gentlemen—I have the honor to acknowledge the receipt of the note which, as a committee of the convention of national republican delegates now assembled in Baltimore, you addressed to me, stating that I had been this day unanimously nominated by the convention as a candidate for the office of president of the United States.

This manifestation of the confidence of a body so distinguished, is received, gentlemen, with lively sensibility and profound gratitude. Although I should have been glad if the convention had designated some citizen of the United States more competent than myself to be

the instrument of accomplishing the patriotic objects which they have in view, I do not feel at liberty to decline their nomination. With my respectful and cordial acknowledgments, you will be pleased to communicate to the convention my acceptance of their nomination, with the assurance that, whatever may be the event of it, our common country shall ever find me faithful to the union, and the constitution, to the principles of public liberty, and to those great measures of national policy which have made us a people, prosperous, respectful, and powerful.

Accept, gentlemen, of my thanks for the friendly manner in which you have conveyed the act and sentiments of the convention. I am, with high respect, your obedient servant,
H. CLAY.

Messrs. *Peter R. Livingston, &c. &c.*

MR. JOHN SERGEANT, of Pennsylvania, was then named for vice president, by Mr. *McNairy*, of Tennessee; and, as on the nomination of president, each member rose and expressed his approbation, which was accepted unanimously. A committee was appointed to inform Mr. S. of his nomination.

Among other proceedings, it was resolved, that the convention would, to-morrow, at 4 o'clock pay their respects to CHARLES CARROLL, of Carrollton, if agreeable to him. And a committee was appointed to wait upon him.

Adjourned until 10 o'clock to-morrow.

Thursday. The convention was opened after an eloquent prayer by the rev. Mr. *Nevins*. The delegates who had arrived in the preceding evening, were called upon, and recorded their votes in favor of the nominations of Messrs. Clay and Sergeant.

Among other business, Mr. *Morrow*, of Ohio, reported that Charles Carroll would be pleased to receive the members of the convention at 4 o'clock this day.

Mr. *Lacock* reported that the committee had waited upon Mr. Sergeant, who accepted the nomination in the following reply to their note.

Baltimore, December 14, 1831.

Gentlemen—I have received your note of this date, informing me that the national republican convention, now sitting in this city, have unanimously nominated me as a candidate for the office of vice president of the United States.

The nomination by a body so enlightened and patriotic, for one of the highest trusts of the republic, is felt to be a very great honor, and is appreciated accordingly. It is the more gratifying, as it associates me in their estimation and support with that distinguished citizen, whose public life and character, marked by, undeviating devotion to the best interests of our country, and a spirit as generous as it is elevated, are a sure pledge that an administration under his guidance would be comprehensive and national, aiming unceasingly to preserve the union, to maintain the supremacy of the constitution and laws, to keep unbroken the public faith and honor, and to regard, with becoming indulgence and respect, the honest differences of opinion among our fellow citizens, which our republican institutions permit and invite. To co-operate with him, to the extent of whatever means I possess, in thus promoting the welfare and happiness of the nation, and securing the freedom of opinion and conduct from unconstitutional oppression, would be no less my pleasure than my duty.

Be pleased, gentlemen, to make known to the convention my acceptance of their nomination, and with it, to express to them the unaffected sensibility with which I have received this distinguished proof of their confidence.

I beg you to accept my thanks for the kind and flattering terms of your communication and to be assured of the high respect of, gentlemen, your most obedient servant,
JOHN SERGEANT.

To Messrs. *Abner Lacock, Jeremiah Morrow, William L. Stone, Robert Stanard, Walter Jones*, committee, &c.

A vote of thanks was passed to the National Republican Committee at Baltimore, and to the committee of arrangement, for the accommodation and courtesies extended to the convention and its members.

At 4 o'clock, the convention formed a procession to pay their respects to Mr. Carroll, and then adjourned till 12 o'clock to-morrow.

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Friday. The convention was opened this morning with prayer by the rev. Mr. *Finley*, of the Baptist church. The proceedings of yesterday having been read, Mr. *Everett*, of Massachusetts, from the committee assigned to that duty, reported an address to the people of the United States, which was unanimously adopted, and ordered to be published, &c.

The convention, after some other business, adjourned sine die.

The members of the convention, in attendance, were from Maine 5, New Hampshire 5, Vermont 6, Massachusetts 9, Connecticut 5, Rhode Island 4, New York 16, New Jersey 7, Pennsylvania 23, Delaware 5, Maryland 10, Virginia 25, Ohio 18, Kentucky 14, North Carolina 3, Indiana 2, Louisiana 2, Tennessee 1, District of Columbia 5.

YALE COLLEGE. The catalogue of this flourishing institution is just published, from which it appears that the whole number of under-graduates is 331, viz. seniors 33, juniors 102, sophomores 86, freshmen 90.—Number of resident graduates 4, medical students 45, law students 44, theological do. 42. Grand total 469.

ITEMS.

A New York paper says—foreign wool is now shipping from this port to England, the prices there being better than can be procured here, under the present rate of duty.

Some degree of "reticence" by the president, from the ground previously taken concerning the bank, was anticipated in several of the newspapers.

The reception of the message at Philadelphia and New York, advanced the stock of the bank from 128½ to 129 and 129½.

Gov. Wolf's message to the legislature of Pennsylvania does not admit any thing "judicious" in a tariff that is not efficient.

Though so often warned, people will kill themselves, without intending it, by the use of charcoal, in sleeping rooms.

Many persons were named in the legislature of Pennsylvania, as the successor of Mr. Bernard in the senate of the United States—who had resigned: but Mr. *Geo. M. Dallas* was chosen. We have not yet seen the vote.

Messrs. Webster and Frichinghuysen were detained from their seats in the senate by severe attacks of the influenza, which is very generally prevailing. The former took his place on Thursday last.

Walter Bowne, the present mayor of New York, has been unanimously re-elected by the joint ballots of the councils of that city.

At Baltimore, notwithstanding the early and very unexpected close of our water communications, the price of oak wood is only \$6 a cord—being kept in check by supplies brought on the rail road; the coal companies, however, have unwisely advanced the price of their stock of fuel. In Philadelphia, oak wood was selling at 15 dollars the cord, notwithstanding her vast supplies of coal; and at New York, Boston, &c. the price of wood had advanced to about three times its usual cost. Wood at New York 12 dollars, at Boston 9—coal in proportion.

A bill has been introduced into the legislature of N. Carolina, to raise a fund for the removal of free persons of color to Liberia, (proposing to lay a tax of ten cents for that purpose on every black poll in the state.)

The court house of Somerset county, Maryland, at Princess Ann, was recently destroyed by fire—the books and papers all saved. The house had stood 87 years. Some of the other buildings in the village took fire, but were not materially injured.

The two Jackson parties in Pennsylvania have been at issue—the one, supported by the present "official organ" of the state, the Philadelphia Inquirer, had fired the 8th of January, to hold a convention to nominate a

* The companies, however, we see it stated in the United States Gazette, had not enhanced their price. This will make many new customers, as it ought, hereafter.

president, &c.—the other preferred the 4th of March, (adopting the 5th, because the 4th was Sunday), and has succeeded. The latter is Wolf—the former Anti-Wolf.

In consequence of the late gales and excessively severe weather, there have been many shipwrecks and an unusual amount of suffering on our coast. The details of some of them are terrible.

Eleven persons died of the influenza, at New York, during the last week.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

December 12. The *Vice President* of the U. S. attended this day and took the chair of the senate.

Messrs. *Bibb, Buckner, Brown, Tazewell* and *For-ayth*, appeared this day—Mr. *Buckner*, senator elect from Missouri, and Mr. *Forayth*, re-elected from Georgia, had their credentials presented, and were sworn in.

Several petitions were presented, amongst which were several from the merchants of the Atlantic cities praying a further reduction of the duties on teas after the 31st. December, 1831.

The following motion submitted by Mr. *Hanna*, on Thursday last, was then considered and agreed to.

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of an appropriation to extinguish the Indian title in Indiana.

Mr. *Hayne*, submitted the following resolution for consideration:

Resolved, That the committee on the judiciary, be instructed to inquire into the expediency of reviving the act which provided for the publication of the decisions of the Supreme court.

On motion of Mr. *Chambers*, it was ordered that the several officers of the senate who are now officiating, shall continue to act in their respective stations until Monday next.

On motion of Mr. *Grundy*, the senate went for a short time into executive business, and then adjourned.

December 13. Various petitions and memorials were presented.

Mr. *Grundy* moved a resolution to inquire into the propriety of purchasing a law library for the use of the supreme court.

Mr. *Moore*, moved a resolution requiring the committee of public lands to inquire as to the expediency of discontinuing the sale of public lands by the auction system, and to authorize the sales to be made in lots of 40 acres.

The resolution offered by Mr. *Hayne*, yesterday on the expediency of reviving the act providing for the publication of the decisions of the supreme court of the United States, was taken up and agreed to.

The resolution offered yesterday by Mr. *Marcy*, directing the secretary to purchase copies of *Gales & Seaton's Register of Debates*, for such members of the senate as have not been heretofore supplied, was taken up; and being amended by the mover, so as to include copies of the debates on the adoption of the constitution, published by J. Elliot, was agreed to.

Pursuant to notice, Mr. *Paindexter* asked leave to bring in a bill "authorising appeals and writs of error to the supreme court, in certain cases," which was twice read, and referred to the committee on the judiciary.

December 14. Mr. *Smith* gave notice that he would to-morrow ask leave to introduce a bill touching the re-organization of the ordinance department.

Several private memorials were presented—as also, a joint resolution of the legislature of Indiana with respect to a grant of a portion of the public lands to aid in the construction of public roads.

Mr. *Ewing* presented the memorial of the legislature of the state of Ohio, praying the establishment of a dividing line between that state and the territory of Michigan—which, on motion of Mr. *Ewing*, was referred to a select committee—which being elected by ballot, consists of Messrs. *Ewing, Wilkins, Naudam, Hendricks* and *Grundy*.

The resolutions submitted yesterday by Messrs. *Grundy, Moore* and *King* respectively, were severally taken up and agreed to.

A message from the president transmitting all the information in the possession of the executive relative to the capture, abduction and imprisonment of American

citizens, by the authorities of the province of New Brunswick, were then read.

The *vice president* communicated from the secretary of the treasury copies of the receipts and expenditures of the U. States for 1830.

The communication from the president touching the assistance afforded our fellow citizens by the crew of the Spanish brig *Leon*, was, on motion of Mr. *King*, referred to the committee on commerce.

The senate then adjourned.

December 15. Mr. *Webster* appeared to-day and took his seat.

The chair communicated the certificate of election of *George M. Dallas*, elected senator to congress from the state of Pennsylvania, to supply the vacancy occasioned by the resignation of Isaac D. Barnard.

Many petitions were presented and disposal of—and notices of several intended motions given, which will sufficiently appear hereafter. Mr. *Smith* introduced a bill for the organization of the ordinance department. After some time spent in executive business, the senate adjourned to Monday.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 12. The following gentlemen were announced as having been appointed by the chair, since the last sitting of the house, to compose the several standing committees.

Committee of elections. Messrs. Claiborne, Randolph, Holland, Griffin, Bethune, Collier and Arnold.

Committee of ways and means. Messrs. McDuffie, Verplanck, Ingersoll, Gilmore, Alexander, Walde and Gaither.

Committee of commerce. Messrs. Cambreleng, Howard, Sutherland, Lamar, Newton, Davis, of Mass. and Jarvis.

Committee of claims. Messrs. Whittlesey, of Ohio, Barber, of Conn. McIntire, Patton, Ihrie, Hogen and Rencher.

Committee on foreign affairs. Messrs. Archer, Everett, of Mass. Taylor, Polk, Crawford, Barnwell and Wayne.

Committee on military affairs. Messrs. Drayton, Vane, Blair, of S. C. Mitchell, of Md. Speight, Adair and Ward.

Committee on naval affairs. Messrs. Hoffman, Carson, White, of N. Y. Anderson, Branch, Milligan and Watmough.

Committee on Indian affairs. Messrs. Bell, Lewis, Thompson, of Georgia, Angel, Storrs, Mason and Le-compte.

Committee on manufactures. Messrs. Adams, Lewis, Condict, Findlay, Horn, Dayan, Worthington and Bar-huur, of Va.

Committee on agriculture. Messrs. Root, McCoy, of Va. Smith, of Penn. Chandler, Jenifer, Wheeler and Tompkins.

Committee on the judiciary. Messrs. Davis, of S. C. Ellsworth, Daniel, White, of Lou. Foster, Gordon and Beardsley.

Committee for the District of Columbia. Messrs. Dod-dringe, Washington, Semmes, Armstrong, Thomas, of Md. McCoy, of Pa. and Chinn.

Committee on the post office and post roads. Messrs. Johnson, of Ky. Conner, Russell, Pearce, Jewett, Johnson, of Va. and Newnan.

Committee on private land claims. Messrs. Johnson, of Tenn. Coke, Stanberry, Mardis, Marshall, Carr, of Indiana, and Bullard.

Committee on the public lands. Messrs. Wickliffe, Duncan, Hunt, Irvin, Clay, Boon and Plummer.

Committee on revolutionary claims. Messrs. Muhlen-berg, Nuckolls, Bouldin, Crane, Bates, of Mass. Ham-mons and Standifer.

Committee on revolutionary pensions. Messrs. Hub-barth, Isaacs, Mitchell, of S. C. Denny, Pendleton, Doubleday and Kavanaugh.

Committee on invalid pensions. Messrs. Burges, Ford, Evans, of Maine, Reed, of N. Y. Appleton, Lansing and Southard.

Committee on public expenditures. Messrs. Hall, of N. C. Davenport, Lyon, Thomson, of Ohio, Coulter, Pierson and Henry King.

Committee on the territories. Messrs. Kerr, of Md. Creighton, W. B. Shepard, Williams, of N. C. Huntington, Allan, of Ky. and Roscoe.

Committee of accounts. Messrs. Allen, of Va. Burt and Berger.

Committee on revised and unfinished business. Messrs. Reed, of Mass. Kennon and Soule.

Committee on expenditures in the treasury department. Messrs. Stephens, Wardwell, and Fitzgerald.

Committee on expenditures in the war department. Messrs. A. H. Shepperd, Mann and Felder.

Committee on expenditures in the state department. Messrs. Lent, Evans, of Pa. and McKay.

Committee on expenditures of public buildings. Messrs. Young, Spence and Tracy.

Committee on expenditures in the post office. Messrs. Hawes, Bates, of Maine, and Brodhead, of N. Y.

Committee on expenditures in the navy department. Messrs. Maxwell, Hall, of Tenn. and Harper.

Mr. Adams, of Mass. (the ex-president of the United States), presented fifteen petitions, all numerously subscribed, from sundry inhabitants of Pennsylvania, all of the same purport, praying for the abolition of slavery and the slave trade in the District of Columbia, and moved that the first of them should be read; and it was read accordingly.

Mr. Adams then observed that it had doubtless been remarked that these petitions came not from Massachusetts, a portion of whose people he had the honor to represent, but from citizens of the state of Pennsylvania. He had received the petitions many months ago, with a request that they should be presented by him, and, although the petitioners were not of his immediate constituents, he had not deemed himself at liberty to decline presenting their petitions, their transmission of which to him manifested a confidence in him for which he was bound to be grateful. From a letter which had accompanied those petitions, he inferred that they came from members of the society of Friends; a body of men than whom there was no more respectable and worthy class of citizens, none who more strictly made their lives a commentary on their professions—a body of men comprising, in his firm opinion, as much of human virtue, and as little of human infirmity, as any other equal number of men of any denomination upon the face of the globe.

The petitions, Mr. A. continued, asked for two things: the first was, the abolition of slavery; the second, the abolition of the slave trade in the District of Columbia. There was a traffic of slaves carried on in the District, of which he did not know but that it might be a proper subject of legislation by congress, and he, therefore, moved that the petitions he had had the honor of presenting, should be referred to the committee on the affairs of the District of Columbia, who would dispose of them as they, upon examination of their purport, should deem proper, and might report on the expediency of granting so much of the prayer of the petitioners as referred to the abolition of the slave trade in the district.

As to the other prayer of the petitions, the abolition by congress of slavery in the District of Columbia, it had occurred to him that the petitions might have been committed to his charge under an expectation that it would receive his countenance and support. He deemed it, therefore, his duty to declare, that it would not. Whatever might be his opinion of slavery in the abstract, or of slavery in the District of Columbia, it was a subject which he hoped would not be discussed in that house; if it should be, he might perhaps assign the reasons why he could give it no countenance or support. At present he would only say to the house, and to the worthy citizens who had committed their petitions to his charge, that the most salutary medicines uniformly administered, were the most deadly of poisons. He concluded by moving to refer the petitions to the committee on the District of Columbia.

A great number of petitions were presented.

Mr. Mercer moved the following resolution, which was read and laid upon the table, viz:

Resolved, That there shall be appointed, for the present session, and hereafter, at the commencement of each session of congress, a committee of seven members of this house, to be styled "a committee on roads and canals," whose duty it shall be to take into consideration all such petitions and matters or things, relating to

roads and canals, and the improvements of the navigation of rivers, as shall be presented, or may come in question, and be referred to them by the house; and to report thereupon; together with such propositions relative thereto, as to them shall seem expedient.

On motion of Mr. McCarty, it was
Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of making an appropriation to hold a treaty to extinguish the Indian title to lands within the state of Indiana.

On motion of Mr. Duncan, it was
Resolved, That the committee on the public lands be instructed to inquire into the expediency of reducing the price of public lands, and of giving a preference to the actual settler.

Resolved, That the same committee be instructed to inquire into the expediency of authorising the sale of public lands in lots of forty acres, or in quarter-quarter sections.

On motion of Mr. E. Everett, it was
Resolved, That a committee of three members of this house be appointed, who, with three members of the senate, to be appointed by that body, shall direct the expenditure of the money appropriated for the library of congress.

On motion of Mr. Polk, it was
Resolved, That the message of the president of the United States, with the accompanying documents, of the 7th instant, upon the subject of the fifth census of the United States, be referred to a select committee; and that said committee be instructed to report a bill fixing the ratio of representation in congress under the fifth census of the United States.

On motion of Mr. Hing, it was
Resolved, That the committee on the territories be instructed to inquire into the expediency of creating a separate territorial government north of the states of Illinois and Missouri, and west of lake Michigan.

Mr. Wickliffe submitted the following resolution, which was read and laid on the table:

Resolved, That the secretary of the treasury communicate to this house, such information as the department may have collected upon the subject of steamboat navigation, with a view to the adoption of such measures as may be deemed practicable the better to guard and protect passengers from the danger of the bursting of boilers.

The speaker laid before the house the following communication from the secretary of the treasury, which was referred to the committee of ways and means.

Treasury department, 8th Dec. 1831.

SIR: I have the honor to transmit, for the information of the house of representatives, an estimate of the appropriations proposed to be made for the service of the year 1832, amounting to

	\$11,551,154 38
Viz:	
Civil list, foreign intercourse, and miscellaneous	2,407,065 65
Military service, including fortifications, armories, ordnance, Indian affairs, revolutionary and military pensions, and internal improvement	5,736,470 02
Naval service, including the marine corps	3,407,618 71

To the estimates are added statements showing—

1. The appropriations for the service of the year 1832, made by former acts, including public debt, gradual improvement of the navy, army, and equipping the militia, subscription to canal stocks, revolutionary claims, and Indian affairs, amounting to

11,512,945 00

2. The existing appropriations, which will not be required for the service of the year 1831, and which it is proposed to apply in aid of the service of the year 1832, amounting to

501,102 78

3. The existing appropriations, which will be required to complete the service of 1831, and former years, but which will be expended in 1831, amounting to

3,423,525 87

These three last mentioned amounts, together with as much as may remain unexpended of the sum stated in the report on the finances, presented by this department on the 7th instant as the estimated expenditure in the fourth quarter of the present year, and with such sums as may be appropriated by congress for the year 1832, will complete the whole amount subject to the disposition of the executive government in that year.

There is also added to the estimates a statement of the several appropriations which will probably be carried to the surplus fund at the close of the present year, either

because the objects for which they were made are completed, or because these sums will not be required for, or will no longer be applicable to them, amounting to \$215,194 48.

I have the honor to be, with great respect, your obedient servant,

LOUIS McLANE,
secretary of the treasury.

To the hon. speaker of the house of representatives U. S.

The speaker laid before the house the third auditor's annual list of balances—the annual report of the clerk, containing an account of the contingent expenses of his office—also a letter from E. H. Cummins, accompanied by tables, exhibiting the several phases of the 5th census, and the result to each state, and to the U. States, of any ratio of representation that may be assumed from that of one representative from 48,000 to 55,000 souls.

Mr. Wayne, of Georgia, moved a series of resolutions allotting the various parts of the president's message to the appropriate committees.

The form of the resolution on the subject of the bank of the United States, as first moved by Mr. Wayne referred that part of the president's message relating to it to a select committee.

Mr. McDuffie moved to amend it so as to refer it to the committee of ways and means, which motion, after debate prevailed, and the house referred it to the committee of ways and means.

Tuesday, Dec. 13. The following gentlemen compose the several committees directed to be appointed yesterday by the resolutions of Mr. Wayne.

Ratio of representation under 5th census.—Messrs. Polk, of Tennessee, Holtzcliff, of Maine, Thomson, of Ohio, J. King, of Penn., Thomas, of Louisiana, Barstow, of N. York, Bucher, of Penn.

On internal improvements.—Messrs. Mercer, of Va., Blair, of Tenn., Letcher, of Ky., Vinton, of Ohio, Craig, of Va., Leavitt, of Ohio, McCarty, of Indiana.

On the subject of patents.—Messrs. Taylor, of N. York, Choate, of Mass. Corwin, of Ohio, Potts, of Penn., Wilkin, of N. York, Silas Condit, of N. Jersey, Banks, of Penn.

Imprisonment for debt.—Messrs. Johnson, of Ky., Cooper, of N. J., Kennon, of Ohio, Bouck, of N. Y., Cooke, of Ohio, Dewar, of Penn., Whitlesey, of N. Y. Militia.—Messrs. Barringer, of N. C., Adam King, of Penn., Weeks, of N. H., Pitcher, of N. Y., Dearborn, of Mass., Cahoon, of Vt. Stewart, of Penn.

On memorial of New England asylum for the blind.—Messrs. Everett, of Mass., Kendall, of Mass., Dickson, of N. Y., Everett, of Vt., Briggs, of Mass., Cooke, of N. Y., Heister, of Penn.

On the system of keeping public accounts.—Messrs. Wayne, of Geo., White, of N. Y., Davenport, of Virginia, Greenell, of Mass., Wm. B. Shepard, of N. C., Babcock, of N. Y., Slade, of Vt.

On the subject of president and vice president, &c.—Messrs. McDuffie, of S. C., Root, of N. Y., McCoy, of Va., Adair, of Ky., Hughes, of N. J., Thompson, of Geo., Thomas, of Md.

On the affairs of the library.—Messrs. Everett, of Mass., Verplanck, of N. Y., Wayne, of Geo.

A great number of petitions were presented this day. Amongst others—

Mr. Everett, of Massachusetts, presented a petition praying for the settlement of the Oregon territory under the authority of the United States. Lest his opinions on the matter involved should be mistaken from the fact of his having presented the petition, he considered it a duty to state that he could not urge the granting the prayer of the petition at this time—because it would be impossible to grant it, without violating the stipulations of the treaty on this subject with Great Britain. There was, however, one view of the subject in which it required the consideration of the house. It is stated in the memorial, that flourishing settlements of British subjects existed in the Oregon territory. If this were so, it was in violation of a stipulation agreed to between Great Britain and the United States, that, during the convention, no settlement should be authorised to be made on the debatable lands, by the citizens of either country. This was a matter that required to be looked to, and was an appropriate subject of inquiry for the committee on foreign relations.

Mr. Ellsworth, of Connecticut, presented the memorial of sundry citizens of Connecticut, interested in the claims for apolations by French cruizers prior to 1800, which claims were relinquished by the government of the United States by the treaty of 1803, praying relief in the premises at the hands of congress; and moved that it should be referred to a select committee.

Mr. Polk, of Tennessee, thought that the memorial should be referred to the standing committee on foreign relations, and moved that it be accordingly referred to that committee.

Mr. Ellsworth replied, and contended for its reference to a select committee. He was supported by Mr. Adams, Mr. Everett, and Mr. Drayton. Mr. Howard moved to lay the memorial on the table. Mr. Hoffman, and Mr. McDuffie were for referring it to the standing committee. The memorial was then referred to the standing committee on foreign relations.

Mr. Post was elected chaplain by ballot.

The house proceeded to the consideration of the resolution moved yesterday by Mr. Mercer on the subject of creating a committee to be styled "a committee on roads and canals."

A debate arose on this resolution between Mr. Hitchcock, of South Carolina, and Mr. Mercer. The former gentleman protested against the adoption of the resolution as unnecessary, because a select committee had always been found competent to take charge of this business heretofore, but especially because the adoption of such a resolution would lead to an impression that the house was disposed to systematize internal improvement, and with the present high duties on imports, &c. He was disposed to soften and soothe, rather than to irritate existing discontents, as he believed the adoption of this resolution would. Mr. M. took occasion to say, that towards this object (conciliation), he was more than glad to hear the patriotic remarks which had fallen from the gentleman from Massachusetts, (Mr. Adams), yesterday.

Mr. Mercer expressed unfeigned astonishment at the ground taken by the gentleman from South Carolina, believing that there was nothing in the resolution which went in any manner to commit the house either upon the general principle of internal improvement, or to any particular section under that principle. No one could be more disposed to the course of conciliation recommended by that gentleman than he (Mr. Mercer) was. But he could not perceive any connection between that argument and the resolution before the house, which was a mere matter of form, intended to raise a general committee for all cases of a similar nature, instead of appointing general committees on particular cases, as was done yesterday. A standing committee of this character had for many years existed in the other branch of congress, to the great convenience of that body, and he could see no possible substantial objection to the same course here.

Mr. Craig, of Virginia, not perceiving any benefit to arise from prolonging the discussion, moved to lay the resolution on the table.

This motion was negatived.

Mr. Speight, of North Carolina, wishing to present his views on the subject, and not desiring to proceed to-day, because of the lateness of the hour, moved to postpone the further consideration of the resolution until tomorrow.

The house refused to postpone it.

Mr. Speight then moved an adjournment, which was carried. And the house adjourned accordingly.

Wednesday, Dec. 14. Among the memorials this day presented, was one by Mr. Sevier, from the legislature of the territory of Arkansas, praying that the laws for the government of said territory, may be so amended as to give the election of governor and secretary of the territory to the people. In presenting the memorial Mr. Sevier took occasion to say that this memorial contained sundry charges of misconduct and mal-administration against the present governor, (Mr. Pope), from which he wished it to be understood that he himself entirely dissented. Upon the motion of Mr. Sevier, the memorial was referred to the committee on the territories.

Upwards of 70 petitions were presented.

Several bills of a private nature were reported, and made the order of the day for to-morrow.

On motion of Mr. *Wickliffe*, that part of the secretary of the treasury's report which relates to the public lands, was referred to the standing committee on public lands.

On motion of Mr. *Hoffman*, the report of the commissioners of the navy pension and navy hospital funds, was referred to the committee on naval affairs.

The house resumed the consideration of Mr. *Mercer's* motion for adding to the standing committees of the house, a committee on roads and canals.

Mr. *Speight*, of N. Carolina, and Mr. *Doubleday*, of New York, addressed the house against the motion; Mr. *Mercer* replied, and was followed by Mr. *Mitchell*, of S. C. in further opposition to the resolution—Mr. *Mitchell's* speech was arrested by the expiration of the hour allotted to such discussions.

The *Speaker* laid before the house a letter from the secretary of the treasury, transmitting a statement of the amount of duties and drawbacks on the several articles imported into the United States, and re-exported therefrom during the years 1828, 1829, 1830.

From this statement it appears,
That in the year 1828, the accruing duties were

	\$29,951,915
the drawbacks payable	4,001,665
In the year 1829, the accruing duties were	27,689,731
the drawbacks payable	4,213,163
In the year 1830, the accruing duties were	28,299,159
the drawbacks payable	4,511,182

The *speaker* also laid before the house an account of the receipts and expenditures of the government for 1830—laid on the table.

The *speaker* laid before the house a long and interesting communication from *Peter S. Duponceau*, of Philadelphia, upon the subject of silk manufactures, accompanied by samples of plush for hats, manufactured at Philadelphia, from American silk; of gros de Naples, for ladies' dresses, manufactured at Manchester, in England, from American silk; and thrown silk, in the unbleached state.

The letter and samples were referred to the committee on agriculture.

A message was received from the *president* enclosing certain documents relative to the relief afforded by the Spanish brig *Leon* to the American ship *Mimera*, wrecked on the Bahama banks—and suggesting the propriety of granting an indemnity to the crew of said vessel.

Thursday, Dec. 15. Many resolutions for enquiry or instruction were offered—among them the following:

On motion of Mr. *White*, of N. Y. it was

Resolved, That a select committee be appointed to take into consideration the state of the gold and silver coins of the United States, and to inquire into the expediency of making certain foreign coins a legal tender in the payment of debts; and also to report such amendments of the existing laws regulating the mint of the United States as may be deemed expedient, and that said committee have leave to report by bill or otherwise.

On motion of Mr. *Doddridge*, it was

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of providing for the preservation and repair of the Cumberland road.

On motion of Mr. *Stewart*, it was

Resolved, That the act passed by the legislature of Pennsylvania, on the 4th day of April last, "for the preservation and repair of the Cumberland road," be referred to the committee of internal improvements; and that the committee be instructed to inquire into the expediency of making provision for carrying the same into effect.

Mr. *Drayton*, from the committee on military affairs, reported a bill for the adjustment and settlement of the claims of the state of S. Carolina against the U. States; which was twice read, and made the special order of the day for Wednesday the 28th day of the present month.

Mr. *Mitchell* concluded his speech on the resolution concerning internal improvements. Mr. *Wilde* moved to refer the question to a committee of the whole.

Mr. *Davis*, of Mass. considered the whole debate unimportant. Standing committee or select, there must be one. Names were nothing.

Mr. *Mitchell* called for the yeas and nays on the question of agreeing to the resolution, and they were taken as follows:

Yeas 96—nays 90.

[Mr. *Adams* was at the head of the list of yeas. The names may be given hereafter; but the "*Intelligencer*" says of the vote—The reader would fall into a great error, if he were to suppose the vote of yesterday, by yeas and nays, in the house of representatives, as indicating the true sense of the house upon the general subject of internal improvement. The question regarded only the mode of transacting the business of the house. We have not the least doubt, that there are fully two-thirds of the members of the house of representatives who are free from any constitutional scruples on the subject of internal improvement, as will be seen whenever any expedient measure of that description is presented for their decision.]

PUBLIC DOCUMENTS

Transmitted to the congress of the U. States, Dec. 1831.
TREASURY REPORT ON THE FINANCES.

In obedience to the directions of the "act to establish the treasury department," the secretary of the treasury respectfully submits the following report:

1. Of the public revenue and expenditures.

The receipts into the treasury, from all sources, during the year 1829, were \$24,827,637 38

The expenditures for the same year, in including payments on account of the public debt, and including \$9,033 38, for awards under the first article of the treaty of Ghent, were 25,044,358 40

The balance in the treasury on the 1st January, 1830, was 5,753,704 79

The receipts from all sources during the year 1830, were 24,844,116 51
Viz:

Customs	21,922,391 39
Lands (statement D)	2,329,356 14
Dividends on bank stock (E)	490,000 00
Incidental receipts (F)	102,368 98

Making with the balance, an aggregate of 30,599,821 30

The expenditures of the same year were (F) 24,855,281 55

Viz:
Civil list, foreign intercourse, and miscellaneous 3,237,416 04

Military service, including fortifications, ordnance, Indian affairs, pensions, arming the militia, and internal improvements 6,732,688 66

Naval service, including the gradual improvement of the navy 3,239,428 63

Public debt 11,355,748 22

Leaving a balance in the treasury, on the 1st January, 1831, of 6,014,539 75

The receipts into the treasury during the three first quarters of the present year, are estimated at 20,653,677 69

Viz:	
Customs	17,354,291 59
Lands (G)	2,479,658 90
Bank dividends (H)	490,000 00
Incidental receipts (I)	111,987 26

And the indemnity under the Danish convention 217,739 95

The receipts for the fourth quarter are estimated at 7,346,735 18

(Including indemnity under the Danish convention.)
Making the total estimated receipts of the year 28,000,412 87

And with the balance on the 1st January, 1831, forming an aggregate of 34,014,952 63

The expenditures for the three first quarters of the present year are estimated at (1) 21,159,778 97

Viz:

Civil list, foreign intercourse, and miscellaneous 2,507,614 44

Military service, including fortifications, ordnance, Indian affairs, arming the militia, & internal improvements 5,649,017 22

Naval service, including the gradual improvement of the navy 3,019,667 85

Public debt 9,983,479 46

The expenditures for the 4th quarter, including \$6,205,-\$10 21 on account of the public debt, are estimated, on data furnished by the respective departments, at 9,807,422 28

Making the total estimated expenditures of the year 30,967,201 25

And leaving in the treasury, on the 1st January, 1832, an estimated balance, including \$439,475 13, on account of the indemnity under the Danish convention, of 3,047,751 37

Which, however, includes the funds, estimated at \$1,400,000, heretofore reported by this department as not effective.

The appropriations remaining unsatisfied at the close of the year, are estimated at \$4,139,823 13; but of this amount, it is estimated by the proper departments,

1. That the sum of \$3,483,525 87 only will be required for the objects for which they were appropriated.

2. That the sum of \$501,102 78 will not be required, and may therefore be considered as an excess of appropriation, and is proposed to be applied, without being re-appropriated, in aid of the service of the year 1832, as will more fully appear when the estimates for the appropriations for that year are presented.

3. That the sum of \$215,194 48 will be carried to the surplus fund, either because the objects for which it was appropriated are completed, or because these moneys will not be required for, or will be no longer applicable to them.

II. Of the public debt.

The payments on account of the public debt, during the first three quarters of the year, have amounted, as has been already stated to 9,983,479 46

Viz:

On account of principal 8,891,049 97

And of interest 1,092,429 49

And it is estimated that the payments to be made in the fourth quarter of the year will amount to 6,905,810 21

Viz:

On account of principal 5,908,810 21

And of interest 297,000 00

Making the whole amount of disbursements on account of the debt in 1831 16,189,289 67

This sum will be increased by purchases of stock which have been authorised, but which have not yet been fully reported.

Of the amount disbursed for the debt, \$10,000,000 were applied from the appropriation made for the year,

under the 2d section of the sinking fund act of 1817; and the remaining \$6,189,289 67, were applied, with the sanction of the president, under the authority of the 1st section of the act of 24th May, 1830.

The stocks redeemed, by the application of that portion of the above sums disbursed on account of the principal, are as follows—viz:

1. Of the funded debt.

The residue of the five per cents created under the act of the 10th of April, 1816, in payment of the United States subscription for the shares owned in the bank of the United States 4,000,000 00

The exchanged four and a half per cent. per act of 3d of March, 1825 1,539,336 16

The four and a half per cent. per act of 26th May, 1824 5,000,000 00

The five per cent. per act of 15th May, 1820 999,999 13

And a part of the four and a half per cent. of the 24th of May, 1824 3,260,475 99

2. Of the unfunded debt, exclusive of \$228 64, converted into 3 per cent. stock.

The old registered debt 40 90

Treasury notes 8 00

Mississippi stock 655 00

After these payments, the public debt, on the 2d of January, 1832, will be as follows—viz:

1. Funded debt.

Three per cents. per act of the 4th of August, 1790, redeemable at the pleasure of government 13,296,626 21

Five per cents. per act of 3d of March, 1821, redeemable after the 1st January, 1835 4,735,296 30

Five per cents. (exchanged) per act of the 20th April, 1822, one third redeemable annually after the 31st December, 1830, 1831, and 1832 56,704 77

Four and a half per cents. per act of the 24th May, 1824, redeemable after the 1st day of January, 1832 1,739,524 01

Four and a half per cent. (exchanged) per act of 26th May, 1824, one half redeemable after the 31st day of Dec. 1832, the residue after the 31st day Dec. 1833 4,454,727 95

24,282,879 24

2. Unfunded debt.

Registered debt, being claims registered prior to the year 1798, for services and supplies during the revolutionary war, 27,919 85

Treasury notes 7,116 00

Mississippi stock 4 320 09

39,355 94

Making the whole amount of the public debt of the United States 24,322,235 18

III. Of the estimates of the public revenue, and expenditures for the year 1832.

The great commercial activity prevailing in the United States has contributed not only to enlarge the revenue from customs for the present year beyond the estimates, but will probably carry that of the next year to a still higher amount. The importations for the year ending on the 30th of September last, are estimated at \$97,032,858, and the exports at \$80,372,566; of which, \$62,048,233 were domestic, and \$18,324,333 foreign products.

The duties which accrued during the first three quarters of the present year, are estimated at \$27,319,000; and those for the fourth quarter, at \$6,000,000. Some deduction, however, will be made from these before they can reach the treasury, on account of the reduction on the duties on coffee, tea, cocoa, and salt, by the acts of the 20th and 29th May, 1830, and which may be estimated to affect the duties on those articles remaining in store on the 1st of January, 1832, to the amount of about \$750,000.

The receipts from the public lands, during the present year, it will be perceived, have likewise exceeded the estimates, and indeed have gone beyond all former example. It is believed that, notwithstanding the large amount of scrip and forfeited land stock that may still be absorbed in payments for lands, yet, if the surveys now projected, be completed, the receipts from this source of revenue will not fall greatly below those of the present year.

From all the information which the department has been able to obtain, the receipts into the treasury during the year 1832, may be estimated at 30,100,000 00

Viz:

Customs	26,500,000 00
Public lands	3,000,000 00
Bank dividends	490,000 00
Incidental receipts, including arrears of internal duties and direct taxes	110,000 00

The expenditures for the year 1832, for all objects other than public debt, are estimated at 13,365,202 16

Viz:

Civil, foreign intercourse, and miscellaneous	2,809,484 26
Military service, including fortifications, ordnance, Indian affairs, arming the militia, and internal improvement	6,648,099 19
Naval service, including the gradual improvement of the navy	3,907,618 71

Which, being deducted from the estimated receipts, will leave a balance of 16,734,797 84

An exhibition of the transactions of the treasury will show that this department has endeavored to carry into effect the policy indicated by the laws and the views of the president in regard to the early extinguishment of the public debt; upwards of forty millions will have been applied to that object from the 4th of March, 1829, to the 2d of January, 1832, inclusive, of which about sixteen millions and a half will have been drawn from the treasury during the present year.

The occasion is deemed a propitious one to bring to the view of the legislature the subject of the debt, with a view to its redemption at a period not only earlier than has been heretofore anticipated, but before the termination of the present congress.

The entire public debt, on the 2d of January next, as has been already shown, will amount to \$24,322,235 18

The amount of the receipts into the treasury during the year 1832, after satisfying all the demands of the year other than on account of the public debt, are estimated, as above, at 16,734,797 84

To this may be added the balance in the treasury on the 1st of January, 1832, estimated, (exclusive of the medicinal funds and the Danish indemnity), at 1,208,276 24

From this aggregate of 17,943,074 08 after deducting the amount of the unsatisfied appropriations already estimated at 5,423,525 87 there will remain a surplus, in the year 1832, of 14,519,548 21 which, unless congress should enlarge the appropriations for other objects, may be applied to the public debt.

The interest on the debt, during the year 1832, may be estimated at 500,000 00

Leaving for the principal in that year 14,019,548 21

Which, being applied to that object, will leave the total amount of the public debt, at the close of the year 1832, 10,302,686 97

The government, however, has other means which, if congress see proper, may be applied towards the payment of the debt, viz: the shares in the bank of the United States, amounting, at par to \$7,000,000, but which, as will be presently explained, may be estimated at not less than 8,000,000 00

In that event, the amount of the debt, on the 1st of January, 1833, would be but 2,302,686 97

Which sum, together with a fair allowance for the cost of purchasing, at the market price, the stocks not redeemable in the course of the proposed operation, might be supplied in the months of January and February, 1833, by the application from the revenues of that year of a sum equal to 2-12 of the amount applied from the ordinary revenues to the debt in the year 1832—say 2,503,258 02

It may be further observed, that, should any diminution take place in the estimated revenue, or should the expenditure exceed the estimated amount, the deficiency which either event might produce in the means of the treasury, applicable to the debt, would be supplied by the amount reserved in this estimate for the unsatisfied balances of appropriations. For, although that sum constitutes a legal charge on the treasury, to be met as occasion requires, yet, in any estimate of present means, it may be considered rather as a nominal than a real charge.

It will be thus perceived that the government has the means, if properly employed, of reimbursing the whole of the public debt, by purchase or otherwise, on or before the 3d of March, 1833.

The moral influence which such an example would necessarily produce throughout the world, in removing apprehension, and inspiring new confidence in our free institutions, cannot be questioned. Seventeen years ago, the country emerged from an expensive war, encumbered with a debt of more than one hundred and twenty-seven millions, and in a comparatively defenceless state. In this short period, it has promptly repelled all the direct and internal taxes which were imposed during the war, relying mainly upon revenue derived from import, and sales of the public domain. From these sources, besides providing for the general expenditure, the frontier has been extensively fortified, the naval and maritime resources strengthened, and part of the debt of gratitude to the survivors of the revolutionary war discharged. We have, moreover, contributed a large share to the general improvement, added to the extent of the union by the purchase of the valuable territory of Florida, and finally acquired the means of extinguishing the heavy debt incurred in sustaining the late war, and all that remained of the debt of the revolution.

The anxious hope with which the people have looked forward to this period, not less than the present state of the public mind, and the real interests of the community at large, recommend the prompt application of these means to that great object, if it can be done consistently with a proper regard for other important considerations.

Of these means as has already been shewn, the shares owned by the government in the bank of the United States are an indispensable part; and, that for the reimbursement of the debt within the period contemplated, it will be necessary to effect a sale of three, for a sum not less than eight millions of dollars.

The stock created by the United States for their subscription to the bank, having been actually paid previously to the 1st of July last, their interest in that institution has ceased to be nominal merely, and the shares form a part of the fiscal resources applicable to the public demands.

The objects connected with the early reimbursement of the public debt, are more important than the interest

of the government as a mere stockholder; and it is, therefore, respectfully recommended to congress to authorize the sale of those shares for a sum not less than \$8,000,000.

A sale of so large an amount in the public market could not be expected to produce more than the par value; and, if attempted under circumstances calculated to shake public confidence in the stability of the institution would, in all probability, prove wholly abortive. For these reasons, it is deemed advisable to effect a sale to the bank itself—a measure believed to be practicable on terms satisfactory both to the United States, and that institution.

In submitting this proposition to the wisdom of congress, it is not intended that its adoption should be founded on any pledge for the renewal of the charter of the bank, considering, however, the connection of the proposition with the bank, and viewing the whole subject as a necessary part of the plans for the improvement and management of the revenue, and for the support of public credit, the undersigned feels it his duty to accompany it with a frank expression of his opinions.

The act of congress to establish the treasury department, makes it the duty of the secretary of the treasury to digest and prepare plans for the support of public credit, and for the improvement and management of the revenue. The duties enjoined, as well by this act, as by the subsequent one of the 10th of May, 1800; requiring the secretary "to digest, prepare, and lay before congress at the commencement of every session a report on the subject of finance, containing estimates of the public revenue, and public expenditures, and plans for improving or increasing the revenue, from time to time, for the purpose of giving information to congress, in adopting modes for raising the money requisite to meet the public expenditures," have been supposed to include not merely the application of the resources of the government; but the whole subject of the currency and the means of preserving its soundness.

On this supposition, the first secretary of the treasury, in his memorable reports of January and December, 1790, recommended a national bank as "an institution of primary importance to the finances, and of the greatest utility in the operations connected with the support of public credit;" and various communications since made to congress, show that the same views were entertained of their duties by others who have succeeded him in the department.

The performance of the duties thus enjoined by law upon the secretary of the treasury implies, however, no commitment of any other department of the government, each being left free to act according to the mode pointed out by the constitution.

The important charge confided to the treasury department, and on which the operations of the government essentially depend, in the improvement and management of the revenue, and the support of public credit; and of transferring the public funds to all parts of the United States, imperiously requires from the government all the facilities which it may constitutionally provide for these objects, and especially for regulating and preserving a sound currency.

As early as May, 1781, the congress of the United States, convened under the articles of confederation, approved the plan of a national bank, submitted to their consideration by Mr. Morris, then superintendent of the finances, and, on the 31st of December of the same year, "from a conviction of the support which the finances of the United States would receive from the establishment of a national bank," passed an ordinance incorporating such an institution under the name and style of "The President, Directors, and Company of the Bank of North America." The aid afforded by that institution was acknowledged to have been of essential consequence during the remaining period of the war, and its utility subsequent to the peace of little less important.

The authority of the present government to create an institution for the same purposes cannot be less clear. It has, moreover, the sanction of the executive, legislative, and judicial authorities, and of a majority of the people of the United States, from the organization of the govern-

ment to the present time. If public opinion can not be considered the infallible expounder, it is among the soundest commentators of the constitution. It is undoubtedly the wisest guide and only effective check to those to whom the administration of the constitution is confided; and it is believed, that in free and enlightened states, the harmony, not less than the welfare, of the community is best promoted by receiving as settled, those great questions of public policy in which the constituted authorities have long concurred, and in which they have been sustained by the unequivocal expression of the will of the people.

The indispensable necessity of such an institution for the fiscal operations of the government in all its departments, for the regulation and preservation of a sound currency, for the aid of commercial transactions generally, and even for the safety and utility of the local banks, is not doubted, and, as is believed, has been shown in the past experience of the government, and in the general accommodation and operations of the present bank.

The present institution may indeed be considered as peculiarly the offspring of that necessity—springing from the inconveniences which followed the loss of the first bank of the United States, and the evils and distresses incident to the excessive, and, in some instances, fraudulent issues of the local banks during the war—the propriety of continuing it is to be considered, not more in reference to the expediency of banking generally, than in regard to the actual state of things, and to the multiplicity of state banks already in existence, and which can neither be displaced nor in other manner controlled in their issues of paper by the general government. This is an evil not to be submitted to; and the remedy at present applied, while it preserves a sound currency for the country at large, promotes the real interests of the local banks by giving soundness to their paper.

If the necessity of a banking institution be conceded or shown, that which shall judiciously combine the power of the government with private enterprise, is believed to be most efficacious. The government would thus obtain the benefit of individual sagacity in the general management of the bank, and by means of its deposits and share in the direction, possess the necessary power for the prevention of abuse.

It is not intended to assert that the bank of the United States, as at present organized, is perfect, or that the essential objects of such an institution might not be attained by means of an entirely new one, organized upon proper principles, and with salutary limitations. It must be admitted, however, that the good management of the present bank, the accommodation it has given the government, and the practical benefits it has rendered the community—whether it may or may not have accomplished all that was expected from it—and the advantages of its present condition, are circumstances in its favor, entitled to great weight, and give it strong claims upon the consideration of congress, in any future legislation upon the subject.

To these may be added the knowledge the present bank has acquired of the business and wants of the various portions of this extensive country, which, being the result of time and experience, is an advantage it must necessarily possess over any new institution.

It is to be observed, moreover, that the facilities of capital actually afforded by the present institution to the agricultural, commercial, and manufacturing industry of all parts of the union could not be withdrawn even by transferring them to another institution, without a severe shock to each of those interests and to the relations of society generally.

To similar considerations, it may be presumed, is to be traced the uniform policy of the several states of the union, of rechartering their local institutions, with such modifications as experience may have dictated, in preference to creating new ones.

Should any objection be felt or entertained on the score of monopoly, it might be obviated by placing, through the means of a sufficient premium, the present institution upon the footing of a new one, and guarding its future operations by such judicious checks and limitations as experience may have shown to be necessary.

To these considerations, and others which will be adverted to in a subsequent part of this report—the experience of the department in the trying periods of its history, and the convictions of his own judgment, concurring with those of the eminent men who have preceded the undersigned in its administration—induce him to recommend the expediency of re-chartering the present bank at the proper time, and with such modifications, as, without impairing its usefulness to the government and the community, may be calculated to recommend it to the approbation of the executive, and—what is vitally important—to the confidence of the people.

Should congress deem it expedient to authorise the sale of the bank shares, for a sum not less than eight millions of dollars, the reimbursement of the public debt on or before the 31 of March, 1833, may be confidently anticipated; and, from that period, the amount of revenue applicable to that object will be no longer required.

The revision and alteration in the existing duties which will be called for by this state of things cannot too early engage the attention of congress. The information requisite to the establishment of a scale of duties upon a permanent and satisfactory basis will require time; and a system in which so many important interests are involved will be better subserved by prospective legislation than by sudden changes.

The revenue derived from the present duties cannot be safely dispensed with before the period assigned for the extinguishment of the public debt; but such revised system as congress may, in its wisdom, previously provide, may, with entire propriety, be authorised to take effect from and after the 31 of March, 1833.

Independently of the charge for the public debt, the revenue for the expenditures of the government, as at present authorised, need not, it is estimated, exceed, annually, the sum of \$13,500,000.

It is believed, however, that there are other objects of expenditure of obvious expediency, if not of indispensable necessity, which it may be supposed have been postponed by the higher obligation of paying the public debt. The present occasion is deemed propitious to provide for those objects in a manner to advance the glory and prosperity of the country, without inconvenience to the people.

It is therefore respectfully recommended, that in addition to the expenditure as at present authorised, appropriations may, at the proper time, be provided for the following objects:—For augmenting the naval and military resources; extending the armories; raising the militia of the several states; increasing the pay and emoluments of the navy officers to an equality with those of the army, and providing them with the means of nautical instruction; enlarging the navy hospital fund; strengthening the frontier defences; removing obstructions from the western waters; for making accurate and complete surveys of the coast, and for improving the coast and harbors of the union, so as to afford greater facilities to the commerce and navigation of the United States. The occasion would also be a favorable one for constructing custom-houses and warehouses in the principal commercial cities, in some of which they are indispensably necessary for the purposes of the revenue; and likewise for providing for the proper permanent accommodation of the courts of the United States and their officers.

In many districts the compensation of the officers of the customs, in the present state of commerce, is insufficient for their support, and inadequate to their services; as a part of the general system, however, and effectually to guard the revenue, the services of such officers are necessary, without regard to the amount of business; and it is believed expedient to make their allowances commensurate with the vigilance required and the duties to be performed. A further improvement may be made in the mode of compensating the officers of the customs, by substituting salaries for fees in all the collection districts, by which, at a comparatively small expense to the treasury, commerce and navigation would be relieved from burthens, always inconvenient, if not oppressive.

It is believed that the public property and offices at the seat of government require improvement and extension, and that farther appropriations might be made to adapt them to the increasing business of the country.

The salaries of the public ministers abroad must be acknowledged to be utterly inadequate either for the dignity of the office, or the necessary comfort of their families. At some foreign courts, and those whose relations towards the United States are the most important, the expenses incident to the station are found so burthensome as only to be met by the private resources of the minister. The tendency of this is to throw those high trusts altogether into the hands of the rich, which is certainly not according to the genius of our system. Such a provision for public ministers as would obviate these evils, and enable the minister to perform the common duties of hospitality to his countrymen, and promote social intercourse between the citizens of both nations would not only elevate the character of his country, but essentially improve its public relations.

In addition to these objects, farther provisions may be made for those officers and soldiers of the revolution, who are yet spared, as monuments of that patriotism and self-devotion, to which, under Providence, we owe our multiplied blessings.

For the foregoing purposes, together with the existing expenditure, and a moderate allowance for such objects of general improvement as shall be of an acknowledged national character, within the limits, as admitted by the executive, of the powers of congress over the subject, an annual revenue of \$15,000,000 will be fully adequate. It is worthy of remark that such an amount of revenue, would scarcely exceed one dollar on each individual of our population, as it may be reasonably computed when the reduced duties shall take effect, and that the individual burden would continue to diminish with the increase of population and of the national resources.

The sources from which the revenue has hitherto been derived are the imports, public lands, and bank dividends. With the sale of the bank stock the latter will cease, and as the imports, according to any scale of duties, which it will be expedient and practicable to adopt, will be amply sufficient to meet all the expenditure; that portion of the revenue heretofore drawn from the sale of the public lands may be dispensed with, should congress see fit to do so.

On this point the undersigned deems it proper to observe that the creation of numerous states throughout the western country, now forming a most important part of the union, and the relative powers claimed and exercised by congress and the respective states over the public lands, have been gradually accumulating causes of inquietude and difficulty, if not of complaint. It may well deserve consideration, therefore, whether at a period demanding the amicable and permanent adjustment of the various subjects which now agitate the public mind, these may not be advantageously disposed of in common with the others, and upon principles just and satisfactory to all parts of the union.

It must be admitted that the public lands were ceded by the states, or subsequently acquired by the United States for the common benefit; and that each state has an interest in their proceeds, of which it cannot be justly deprived. Over this part of the public property the powers of the general government have been uniformly supposed to have a peculiarly extensive scope, and have been construed to authorise their application to purposes of education and improvement to which other branches of revenue were not deemed applicable. It is not practicable to keep the public lands out of the market; and the present mode of disposing of them is not the most profitable either to the general government or to the states, and must be expected when the proceeds shall be no longer required for the public debt, to give rise to new and more serious objections.

Under these circumstances it is submitted to the wisdom of congress to decide upon the propriety of disposing of all the public lands, in the aggregate, to those states within whose territorial limits they lie, at a fair price, to be settled in such manner as might be satisfactory to all. The aggregate price of the whole may then be apportioned among the several states of the union, according to such equitable ratio, as may be consistent with the objects of the original cession, and the proportion of each may be paid or secured directly to the others by the respective states purchasing the land.

All cause of difficulty with the general government on this subject would then be removed: and no doubt can be entertained, that, by means of stock issued by the buying states, bearing a moderate interest, and which, in consequence of the reimbursement of the public debt, would acquire a great value, they would be able at once to pay the amount upon advantageous terms. It may not be unreasonable also to expect that the obligation to pay the annual interest upon the stock thus created would diminish the motive for selling the lands at prices calculated to impair the general value of that kind of property.

It is believed, moreover, that the interests of the several states would be better promoted by such a disposition of the public domain, than by sales in the mode hitherto adopted. And it would at once place at the disposal of all the states of the union, upon fair terms, a fund for purposes of education and improvement, of inestimable benefit to the future prosperity of the nation.

Should congress deem it proper to dispense with the public lands as a future source of revenue, the amount to be raised from imports after the 3d of March, 1833, according to the foregoing estimate, will be \$15,000,000; but with a reliance upon the public lands, as heretofore, it may be estimated at \$12,000,000—to which, as the case may be, it will be necessary to adopt the provision for the future.

Whatever room there may be for diversity of opinion, with respect to the expediency of distributing among the several states, any surplus revenue that may casually accrue, it is not doubted that any scheme for encouraging a surplus for distribution, or for any purpose which should make it necessary, will be generally discountenanced. There is too much reason to apprehend, that a regular uniform dependence of the state governments upon the revenue of the general government, or an uniform expectation from the same source, would create too great an incentive to high and unequal duties, and not merely disturb the harmony of the union, but ultimately undermine and subvert the purity and independence of the state sovereignties.

The public welfare and the stability of the union would be more effectually promoted, by leaving all that is not necessary to a liberal public expenditure, with the people themselves. Their affection for the government would be thereby strengthened, and the sources of individual and national wealth augmented; so that when the government should have cause to increase its expenditures for public emergencies, it might rely upon a people able and willing to answer the call. While these means of the national wealth are thus cherished, the machinery by which duties upon imports are collected and brought into the public treasury may be kept in full operation, and susceptible of greater efficiency whenever the exigency may make it necessary.

It is respectfully suggested, that these considerations, and others that will readily present themselves, point out the duties on imports as the best source of revenue, and peculiarly recommend that these duties should be adapted to the actual expenditure of the government.

The propriety of reasonably protecting the domestic industry is fully conceded; but it is believed that it would neither require nor justify the raising of a larger amount of revenue than may be necessary to defray the expenses of the government. Some of the evils of a surplus, which an excess of revenue beyond the expenditure would necessarily induce, have been already noticed. To them may be added the effect upon the peace and harmony of the country, and upon the safety of the union, which should certainly not be hazarded for any object not of vital importance to its welfare.

If it could be shown that the labor and capital of the United States required greater aid to shield them from the injurious regulations of foreign states, sound policy would rather recommend a system of bounties, by which the duties collected from imports might be directly applied to the objects to be cherished, than the accumulation of money in the treasury. No such necessity, however, is supposed to exist.

The amount of revenue equal to the authorised expenditures of the government, it is the constitutional

duty of congress to provide; and to a tariff framed for this object, it is not perceived there can be any reasonable objection. Of this duty the constitution itself precludes all doubt, by authorising both the expenditure and the means of defraying it.

It will be difficult precisely to graduate the revenue to the expenditure. The necessity of avoiding the possibility of a deficiency in the revenue, and the perpetual fluctuation in the demand and supply, render such a task almost impracticable. An excess of revenue, therefore, under any prudent system of duties, may be for a time unavoidable. But this can be better ascertained by experience, and the evil obviated, either by enlarging the expenditure for public purposes, or by reducing the duties on such articles as the condition of the country would best admit.

In providing a revenue upon this principle, and for those purposes, the attention of congress will be necessarily directed to the articles of imports from which the duties should be collected; and this is a question of expediency merely, to be decided with a just regard to all the great interests involved in the subject.

To distribute the duties in such a manner, as far as that may be practicable, as to encourage and protect the labor of the people of the United States from the advantages of superior skill and capital, and the rival preferences of foreign countries; to cherish and preserve those manufactures which have grown up under our own legislation, which contribute to the national wealth, and are essential to our independence and safety; to the defence of the country; the supply of its necessary wants; and to the general prosperity, is considered to be an indispensable duty. The vast amount of property employed in the northern, western, and middle portions of the union, upon the faith of our own system of laws, and in which the interests of every branch of our industry are involved, could not be immediately abandoned without the most ruinous consequences.

The various opinions by which the people of the U. States are divided upon this subject, concern the peace and harmony of the country, and recommend an adjustment on practical principles rather than with reference to any abstract doctrines of political economy.

The proposed action of congress will not be directed to introduce or countenance, for the first time, the adaptation of duties for revenue to the protection of American labor and capital. The origin of that lies at the foundation of the government;—and taking root in the act of July, 1789, it has since increased and spread over our whole legislation, has quickened each branch of industry, and affected most of the important relations of the community. That it may have gone beyond the proper standard, and that the present crisis requires that it should be confined within reasonable limits, will not be denied. It ought to be remembered, however, that the amount of the revenue has not at any time exceeded the authorised object of expenditure; and that, in preserving such an equality in future, justice to every portion of the community requires that it should be accomplished without uprooting those great interests which have been providently planted and carefully nourished.

If the amount of expenditure be regulated by an enlightened economy, and the aggregate of duties levied on imports be neither extravagant nor oppressive to the consumer, it is deemed to be comparatively unimportant whether it be collected from many or few articles of importation. It could only become material by causing the duties to bear unequally upon particular classes. It might not be practicable, however, in such a community as ours, and in distributing the duties with any reference whatever to the protection of labor, altogether to avoid that inconvenience. So much of the inconvenience as may be unavoidable, might be temporarily submitted to for the sake of the national advantages it would ultimately confer. It may be expected, also, that the poorer classes, so far as any such inequality would affect them, will be generally indemnified by the increased activity given to profitable modes of employment.

Happily for the United States the aim to which it is now proposed to limit the revenue, is not likely to be oppressive on any class, even according to the present numbers of the American population. It is also to be

observed, that relatively both to population and the means of consumption, it would annually diminish; while the cheapening of transportation by the means of the rapidly increasing facilities of intercourse, would constantly tend to equalize prices, and diffuse the benefits of labor.

The objects more particularly requiring the aid of the existing duties, upon the principles of this report, are believed to be wool, woollens, cotton, iron, hemp and sugar; as comprehending those articles in which the agricultural and manufacturing industry are more particularly interested.

Upon these articles the average duty collected in the years 1829 and 1830, amounted to \$8,940,393—as is shewn by the annexed statement.

These duties could not be materially changed at present, without the effect already deprecated. No objection is perceived, however to such gradual reduction of them in future, as may withdraw the aid thus afforded, as the growth and stability of our manufactures will enable them to dispense with it,—to such a degree, at least, as will, with the aid of an increase of population, and the means of consumption, still leave a revenue adequate to the expenditures, or until what may be withdrawn from them, may be levied on other articles which may be found to admit of it.

The additional sum, which, together with the amount of these duties, it may be necessary for congress to provide in a re-adjustment of the tariff will depend upon its decision as to confining the expenditures to the present objects, or of enlarging them, as here-in suggested. In the former case the sum of \$1,559,607 00, and in the latter, the sum of \$6,059,607 00 will be required; and in regard to either estimate the provision should be upon a scale sufficiently liberal to guard against the chance of a deficiency. In providing for either sum, the duties may be advantageously retained upon those articles of luxury, or which are principally consumed by the wealthier classes, or upon those not abundantly produced in the United States, in preference to others. The effect of this would be to countervail to the poorer classes, by cheapening their general supply the higher duties on other articles. At the same time the duties may be removed from such raw materials as will admit of it without detriment to our agriculture; whereby the manufacturers would be enabled to sell cheaper, and also the sooner to dispense with a part of the duties, which may be at present retained for their protection. Any amount of duty upon a raw material is, to its extent, an injury to the manufacturer, requiring further countervailing protection against our own rather than foreign regulations, and is only to be justified by the paramount interests of agriculture. In that case it would deserve consideration whether the encouragement of an object of agriculture might not be more properly reconciled with the encouragement of the manufacturer, and with greater equality as regards other interests, by bounties, rather than by a duty on the raw material.

While presenting these views, the burthens to which, the interests of navigation have been subjected by the existing duties on articles necessary in ship-building, have not been overlooked; and while equitably adjusting other interests, this may require from the legislature particular attention. The great importance both of our foreign and coasting navigation to the country, and especially to those interests, now requiring to be cherished, cannot be doubted. In the competition which it is obliged to maintain with the commerce of the world, every where the object of pecuniary gain, it would seem to demand of the government a liberal support. It is believed that the expenses of building and fitting out vessels of every description, including steamboats, are injuriously increased by the present duties, and that a drawback of a large portion, if not the whole of the duty on all the articles composed of iron, hemp, flax or copper, whether of foreign or domestic production, used in their construction or equipment, might be authorised, under proper safeguards, with obvious advantage to other interests, and without material detriment to the revenue.

It is hoped, however, that these suggestions will be received as proceeding from a sense of official duty, and intended to invite the attention of congress to the various modes of revising the existing scale of duties from which a selection may be more judiciously made with the aid of

greater information than is at present in the possession of the department, rather than to present a digested scheme for the future revenue.

The undersigned is not insensible to the embarrassments attending such a subject, both from its delicacy and complexity; and the difficulties of reconciling any system of duties, in the present condition of the public mind, with the interests and views of all, are fully appreciated. These can be surmounted only by the wisdom and patriotism of the people, and of congress. He cannot doubt, however, that it will be the wish of all earnestly to endeavor to surmount them; and he confides in the forbearance and liberality of an enlightened public to accomplish the task. He respectfully suggests that the subject is to be dealt with in the spirit of a liberal compromise, in which, for the sake of the general harmony, each conflicting interest should be expected to yield a part for the common benefit of all.

The diversity of interests which characterize different portions of the union, arising from geographical position and peculiarity of habits and pursuits, does not admit of that degree of favor to any particular interest, which in other countries, differently situated, may be safely and wisely granted. The industry of each portion of the union should be equally regarded and gradually fostered, by which means each would as certainly, though more slowly, attain maturity, without the aid of measures dangerous to the general peace and harmony.

Similar considerations prevailed in the formation of the constitution; and at that period the difficulty of drawing with precision the line between rights surrendered and those reserved, at all times great, was increased by a difference among the several states as to their situation, extent, habits, and particular interests. In harmonising these various objects, and conducting them to practical results, the framers of that instrument kept steadily in view "the consolidation of the union, and the general prosperity of the whole." By merging in these, all objects of inferior magnitude, the constitution came from their hands "the result of a spirit of amity, and of that mutual deference and concession, which the peculiarity of our political situation rendered indispensable." "The full and entire approbation of every state was not counted upon; but it was hoped that each would consider, that had her interests been alone consulted, the consequences might have been particularly disagreeable or injurious."

In the government thus formed, were fully and effectually vested the power of making war, peace, and treaties, that of levying money and regulating commerce, and the corresponding judicial and executive powers of expounding and executing the whole.

Upon no other principles, and in no other spirit, can the constitution be administered with safety to the union. The force of the government is a moral force resting upon the sound action of the public opinion throughout the various portions of the country. Due respect for the rights and duties of the states, and a mild, equal, and moderate exercise of those confided to the general government, with a ready deference to the will of the people, are believed to constitute the soundest policy, and to furnish the best safeguards.

The observance of this policy is the duty of the government, and a patriotic equanimity in measures calculated to effect it, though they may occasionally act with some inequality, is not less the duty of the people. Considerations of power are not alone involved either in measures or opinions, affecting the interests and harmony of the community; and no measures can, or ought long to prevail without a broad and general support from public opinion. The obligation of laws, constitutionally enacted by the proper authorities, is not to be questioned; but, extreme measures adopted by slender majorities, and obnoxious to the interests and opinions of minorities, powerful in numbers, wealth and intelligence; cannot be persevered in without danger to the general harmony, and without undermining the moral power, not merely of the executive and legislative departments, but also, that of the judiciary, which may be called to sustain the authority, without the option of deciding upon the expediency of the measure. In our system, each side has important rights; and those of the mi-

nority consist in requiring that the power of the majority be exerted with a just regard to their interests both of person and property. Without a reasonable deference and concession both as to measures and opinions, the great objects of the government cannot be attained; and, while it is conceded that it would be improper to push measures for the protection of the labor or improvement of the country to an extreme or oppressive degree, it must, also, be admitted that it would not be less so altogether to deny the general government the moderate exercise of powers for those objects for which it is believed mainly to have been instituted.

The real strength of the government depends not more upon a harmonious action of its various parts than in producing the same effect upon the various interests over which it acts.

Considering the amount of labor and capital employed in manufactures of the greatest importance to the country, and which have already contributed an essentially to our defence and safety, and to the general prosperity, it could not be expected that they should be suddenly abandoned. Regarding, at the same time, the diversity of interests resulting from the peculiar situation of the United States, the manufacturing interest itself should be content with a moderate and gradual protection, rather than by extreme measures to enlarge the public tranquillity. The indispensable necessity of the aid of the general government for those objects of acknowledged national concern—more especially the improvement of the rivers and harbors which are the great highways of the people—and to which the means of the several states are both inadequate and inapplicable, could not be withheld without opposition to the opinions of a majority of the people, and the interests of many portions of the union. It is at the same time admitted that this aid should be moderately conferred, and with proper deference to opinions of an opposite character. And it cannot be doubted that too extensive an exercise of the powers of the general government over these objects would ultimately subvert the constitutional sovereignty of the states. It must be acknowledged that the just medium on all these subjects is difficult of attainment; but, in the desire to seek, and in the sagacity to adopt, the best, consists the true policy of an American statesman.

If the adjustment suggested to congress by the views hazarded in this report be in any wise entitled to their respect, it is not unreasonable to hope that the various topics of national concern at present engaging the attention of the people, may facilitate rather than embarrass the task. The interests of agriculture, commerce, and manufactures, and the final disposition of the public lands, are the prominent and necessary, and immediate objects of public policy. As incident, however, and, indeed, necessary to the security and prosperity of these great interests, the preservation of a sound currency cannot escape attention. On the soundness and steadiness of this indispensable medium of exchange depend the value and stability of every description of property not less than the activity of every branch of business; and it is not to be doubted that the commercial and manufacturing industry would be most severely and immediately affected by any derangement of this spring of their prosperity.

The measures of the general government in respect to the tariff, to objects of public improvement, to the public lands, and to the bank of the United States, are the sources of the existing solicitude throughout the country. For the permanent adjustment of all, in a manner to promote the harmony of all parts of the union, and elevate the moral character of the country, the wisdom and patriotism of the government and of the people can alone be looked to.

Independently of the considerations connected with the currency, the interests both of the government and individuals involved in the bank of the United States, make the stability of that institution an object of great importance. No reason is perceived why this great interest should not be equally considered in the scheme of deference, and concession, and compromise, which the public safety, not less than the national prosperity, so urgently recommends. While conflicting interests and opinions on other subjects are invited to meet on

middle ground, and on the altar of common good, each to offer something for the preservation of concord and union throughout this favored land, the advocates and opposers of the existing system for regulating the currency may also be expected to join in the same patriotic sacrifice.

It is not perceived that any other satisfactory basis for a scheme of general adjustment can be devised, than that which shall pay a just regard to the interests of all, and observe a proper deference to the public will. On this ground, mainly, one portion of the agricultural interest has been invited to accommodate opinions, conscientiously formed and ardently advocated, to opposite opinions, more successfully maintained by other and more powerful interests. The invitation could not be more appropriately recommended than by affording an example in other cases, founded upon the same principle. Acquiescence in the public will is not less the duty of government, than of the people themselves. The utmost respect is left for an independent exercise of conscientious opinions; but in a country like ours, though a sense of duty authorities all fair attempts to convince the public mind, it equally dictates a ready acquiescence by all, in the public will, finally expressed.

In presenting to the view of congress the means of the government, the bonds due for duties, which are now in suit, has been reserved for this place. The amount of bonds remaining in suit since the commencement of the government, may be estimated on the 30th of September last, at \$6,855,821 63; of this sum it is believed that not more than one million of dollars could, under any circumstances be recovered. The debtors, however, remain legally liable for the whole amount; and, without the hope of ever paying, are thereby kept in a state of poverty and helplessness.

The act passed at the last session of congress for the relief of certain insolvent debtors, according to the construction which has been given to it, has afforded but little relief to those for whom it was probably intended. It will be the duty of the undersigned, in a subsequent report, in conformity with that law, to lay before congress the principles and manner of its execution. It may not be out of place, in the mean time, when presenting a general view of the financial means of the government, to recommend that no reliance should be placed on these debts.

The punctuality of the American merchant in the payment of duties, in every period of our history, and under the most severe vicissitudes, is deserving of the greatest admiration. Of the whole amount of custom house bonds, falling due in the first three quarters of the present year, only \$46,965 76 have been unpaid. Of seven hundred and eighty-one millions of dollars secured for duties from the commencement of the government to the 30th of September last, the whole loss may be estimated to be less than six millions of dollars. These delinquencies are believed, in most, if not in all instances, to have been the result of unavoidable misfortune, involving, in the ruin of the principal, the auctores required by the laws of the United States, by means of their pawning priority acts, have obtained the benefit of whatever property the debtors possessed at the time of their insolvency. In many instances, their general creditors have either released, or would be willing to release them, if the claim of the government did not render such an act of liberality unavailing. By this means a large number of our fellow citizens, of fair character and intelligence, and qualified by their exertions to promote the prosperity of the country, are paralyzed in their industry, and deprived of the means of providing for their families, and contributing to the general stock of labor. It is respectfully submitted to the wisdom and generosity of congress, whether the occasion of extinguishing the national debt and relieving the burdous of the community at large, and where the greatest amount likely to be recovered is not required for the public exigencies, is not also propitious for giving absolute relief to those enterprising men who, in times of difficulty and need, contributed to enrich the public treasury. The period of the total extinguishment of the national debt will be a period of national rejoicing, and might be properly signalized by such an act of grace to this unfortunate class of our countrymen.

Should congress, however, desire to compel the payment of any portion of these debts, or to discriminate among the objects of its clemency, it is believed that a law of greater scope than the present, authorising an inquiry into the facts, and a discharge of the debtor where there is no fraud, with or without payment of any particular amount, and returning to each debtor a reasonable per centage of the sum paid, is recommended as expedient and necessary.

The secretary of the treasury also transmits a report from the commissioner of the general land office, showing the state of the affairs of that branch of the department. All which is respectfully submitted.

LOUIS MC LANE,
secretary of the treasury.

Treasury department, 7th December, 1831.

REPORT OF THE SECRETARY OF THE NAVY.

Navy department, December 3, 1831.

To the president of the United States:

Sir: The secretary of the navy respectfully submits a report of the transactions of this department during the past year.

Under its general supervision the employment of the public vessels for the protection of our commerce, the erection of dry docks, the improvement of the navy yards, the purchase of timber and stores for future use, and the preservation of live oak, have been the most prominent objects of attention.

Many minor subjects connected with the interests of the service have received due care; and the results of the whole will be presented to your consideration with all practicable brevity.

The naval force in commission has consisted of five frigates, eleven sloops, and seven schooners; but, of these, four small schooners, purchased, and temporarily used in guarding our live oak, and in making surveys of the coast, can hardly be considered as a permanent portion of the establishment, while the relieving vessels necessary to keep up a complement in the different squadrons, have, in this and former years, by going out before others returned, become a considerable number and expense of those actually engaged as in commission.

Our force abroad has been divided between the Mediterranean, the West Indies, Brazil, and the Pacific. From the first station, the Java, the Fairchild, and the Constellation have returned, the former taking the Cape de Verd Islands and Liberia in her way homeward. An account of her cruise is annexed, as it may be interesting to those specially engaged in African colonization. (A.)

The Java, on a minute survey, was found to be very defective; and, having been built of inferior materials, expensive repairs on her are not deemed judicious. As she bears the name of one of our trophies during the late war, it is recommended that an appropriation be made for purchasing timber to rebuild her, and another, for a similar reason, to rebuild the Cysic. A frame has heretofore been obtained for the Macedonian; and an appropriation to finish one of these vessels, whose names are so intimately associated with our naval glory, could be expended with much advantage the two ensuing years. (B.)

Last August the Constellation was ordered home from the Mediterranean after the close of the cruising season, as the usual term of absence would expire next spring, and a large saving of expense would be made by her wintering in this country. She recently arrived, a few weeks earlier than anticipated, and in excellent condition, and, after the discharge of her crew, was immediately placed in ordinary.

The John Adams is the only vessel which has been added to that station.

The squadron there has been usefully employed in its ordinary duties. At this time a part of it, having lately been engaged in transporting of our former consul at Algiers to his new situation as charge to Constantinople, is supposed to be in the Archipelago, waiting the result of the chief object of that mission, and watching the consequences to our commerce of the late disturbances in Greece; another part is under orders to carry from Gibraltar our diplomatic agent to Naples; and a part of it, as recently directed, is presumed to be on new cruising ground, extending into the Atlantic along the coasts of Portugal and her neighboring dependencies.

As the duties of the navy are so extensive, and the number of duty, and the novel state of our relations with the Ottoman Porte, as well as the agitated condition of other portions of Europe, it would seem expedient immediately to increase our naval force in that quarter of the world. To effect that object, and others hereafter mentioned, and at the same time to ensure in our navy a continuance of the requisite skill and experience in navigating ships of the line, a sum sufficient to put us in commission is included in the general estimate for the ensuing year. C. (No. 1 to 15.)

The squadron employed in the West Indies has discharged its accustomed service with fidelity and success; no piratical whatever having been perpetrated on our commerce; the slight disturbances near Porto Cabello, Hayti and Havana, having been promptly looked after; and the health of the crews and officers in our public service is having, been, with a few lamented exceptions, uncommonly good. The only changes in this squadron have been the substitution of the Vincennes for the Peacock, and the Fairchild for the Natchez, on account of greater despatch and economy in preparing the relief vessels.

The Brazilian station, notwithstanding the political commotions in its neighborhood, has presented little active employment for the squadron. The utmost security to our navigation in that

quarter has existed, except a recent, and, it is believed, unprecedented claim, which has been made to disturb our vessels engaged in seal-catching at the Falkland Islands. To guard against the ill consequences of this claim to our commercial interests, prompt measures have been taken, so far as the subject comes within the purview of this department. From that station the Hudson has returned home, and not having been built of live oak, she is in a condition rendering the expediency of repairing her very doubtful. The Yankee, another vessel of the same class, built the Lexington and War-on, sent to relieve them, have probably, ere this, reached their destination. Our force in that region will soon be strengthened by one of the schooners now building, and whose small draught of water will render her employment on that coast highly beneficial. Preparations are making to send more vessels in that direction, should circumstances require and justify the measure; visiting, among other places on their way out, Para and the principal ports on the northern coast of Brazil, where the amount of our commerce, and the agitated condition of the country, make the presence of some of our public vessels judicious, and where none have shown themselves since the late war.

In the Pacific no occurrence of much interest has happened since the last annual report. The Falmouth has been ordered to join that squadron instead of the St. Louis, and the Guerrier, which place the Guerrier, and which last vessel, it is gratifying to announce, arrived two days since, safely, in Hampton roads. Directions have been given to the new commander on that station to keep one of his vessels constantly employed in cruising among those islands in the Pacific to which our whalers and merchantmen resort for either supplies or trade. Unfortunately for the credit of our bills of exchange in that quarter, the payment, early in the year, fell into arrear, and it was some time before the debts by its former agents; and an attempt was made to improve the terms of transacting business there, and to lessen the expenses of providing for the squadron, by sending out a purser to make purchases, and to take charge of the stores and provisions for the whole. Sufficient time has not yet elapsed to test fully the success of this experiment, though the arrangement has required and recently received some modifications to promote its efficiency.

In consequence of a most wanton outrage upon the American ship Friendship, on the N. W. coast of Sumatra, the Potomac was ordered to proceed to the Pacific by way of the Cape of Good Hope, and from the caution used in her instructions, and from the energy of her commander, favorable hopes are entertained of procuring some indemnity for that barbarous and piratical injury. She has also been ordered, after leaving Sumatra, to touch at Macao, and communicate with Canton. The great value of our commerce in India and China, exceeding five millions annually, and its constant exposure, with many valuable lives, to insult and rapine, furnish a strong appeal to the government for the protection of a naval force. Should appropriations be made for the ensuing year, in conformity with the estimates, it will enable the department not only to strengthen the squadron in the Mediterranean, and extend its cruising ground with success, as before suggested; but to guard more efficiently our navigation on the coasts of South America, and provide a sufficient force to visit occasionally the India and China seas. Another beneficial change can also be accomplished, by thus having it in our power to keep one vessel of war fit for active service at the shortest notice, within our own waters, ready to be despatched to any weak or endangered point of our relations in any quarter of the world; and, when not so wanted, to be employed on the home station for purposes of protection to commerce, or of discipline to the navy, as the interest of the country may require.

A part of the different vessels in commission are engaged in several stations and commanders is subjected. (D.) It is due to those having special charge of the ministerial duties of this department, to add, that the strictest attention appears to have been paid to the prompt and thorough repairs of all our force destined to foreign stations; and that, in point of strength and perfect equipment for useful service, the vessels of the United States in commission were probably never in superior condition.

The construction of the two dry docks advanced with great rapidity during the past year. Both are now mostly completed, except the removal of the coffer dams, and the finishing of some of the galls and steam machinery. They present to the eye specimens of stone masonry seldom rivalled in beauty and solidity. The expenditures on each have been about 500,000 dollars; and, by the 4th of next July, it is hoped that some of the public vessels requiring repairs may be safely docked in these useful, economical, and highly convenient for our naval establishment.

For greater detail on this subject, and on the purchase of materials under the act of congress for the gradual improvement of the navy, reference can be had to the report annexed. (E.)

A personal inspection, during the past season, not only of the dry docks, but of all of the navy yards except that near Pensacola, has caused, to the head of this department, high gratification at the prosperous condition of most of them. In building of store-houses and wharfs for the reception of materials, collected formerly for the gradual increase, and now collecting under the appropriation for the gradual improvement of the navy, seems conducted with great regard to durability and convenience.

Experiments have been recently commenced, with a view to settle beyond further controversy the best mode and places in this country for depositing, stowing and preserving the different kinds of timber in most general use here in naval architecture. Whatever differences of opinion may once have existed in Europe, or may now prevail in America, on this subject, it is believed we possess the means of removing them so far as regards our own service.

The buildings for accommodation to the officers of the yards, reported in the surveys and plans of A. D. 1828, are in progress

where most needed, and, in connexion with the storehouses, sheds, wharves, walls and ship ways, require, annually, such appropriations as can be expended without a neglect of more urgent duties. An increased estimate, to advance all these improvements, is presented for the ensuing year. (C. No. 9.)

The discontinuance of some, and the establishment of other navy yards, have been subjects of previous communications from this department. But no sufficient reasons can be discovered by me to warrant the former measure at this time; and the latter measure should, in my opinion, depend much, though not entirely, on the future increase of our naval power.

Among other contemplated improvements in those plans were rope walks at some of our present yards. All observation and experience in the navy show, that in nothing does it suffer more at this time than from bad cordage. The impurities in the quality of the hemp, in the manufacture, and in the tar, are numerous, are difficult of detection, productive of injurious delays when detected, and, when not detected, exceedingly hazardous to the safety of both crews and vessels. Indeed, the reasons seem more powerful in favor of making our own cordage, than of building our own vessels, or manufacturing our own blocks and anchors. An estimate is presented for the erection of two rope-walks at appropriate sites. (F.)

The vessels in ordinary have been, at most, of the yards, covered, so as to shelter them effectually from sunshine and storms, and to render their security from decay much greater than heretofore. It is a gratifying circumstance, that most of these vessels, as well as all those upon the stocks, are in a condition highly creditable to the persons who planned and executed the present mode of preserving them; and that, by proper care in future, until put in commission, no probability whatever exists of much further decay in the important portions of their expensive works, or of any decay in those portions composed of the invaluable material of live oak. (G. and H.)

The three new schooners, authorized to be built under the act of Congress of February 25, 1824, were completed, one at the yard in this city, one at New York, and one at Charlestown. They are all nearly finished, and the first named on a plan seldom before attempted. If successful, it may prove a source of much economy and utility in the construction of vessels of the lower classes. She has been called the Experiment, and the others the Enterprise and Boxer.

The annual purchases of timber and stores, under the act for the gradual increase of the navy, which remain in deposit at the yards, are over a million and a half in value.

The amount of purchases, under the act for the gradual improvement of the navy, in deposit, is nearly half a million.

The amount of property on hand for repairs, is almost a million.

The ordnance, provisions, &c. amount to upwards of a million and a half more.

The paper annexed (I) will present any further detail desirable on this subject. By this, it will likewise be seen, that the property belonging to the navy has rapidly increased, and is increasing. Some new regulations in respect to the accounts for property, which exceed in amount the money'd accounts of the navy, will probably be introduced into the rules for the service next session. The object will be to ensure ample security to the government, strict care of its interests, and the greatest precautions against waste from accident or neglect.

The real estate, as well as the personal property, belonging to the navy establishment, is very valuable, including navy yards, hospital grounds, sites for magazines, and their respective buildings. The titles to some of these, and to parts of others, are in dispute; and the evidences of the titles are in some instances mixed and preserved together. It would be very conducive to the security of this estate, and render the transaction of business concerning it more expeditious and satisfactory, if the examination of the titles, and the various controversies about the estate, and if the collection and preservation, of all the documentary evidence of these titles, were devolved upon one of the law officers of the government.

The act of congress of March 27th, A. D. 1801, makes the commander of the yard at Washington the navy agent for this department. In the changes since adopted respecting navy agents, no separate and permanent one has been appointed at this yard; but the duties have been performed by the commander without giving any security by bonds, and without the usual check of an approval of his purchases by another officer. The duty of the department was well performed, and he has been employed on him in practice, till the past summer. This last change has been made in compliance with both the letter and spirit of the act of congress, and has contributed to public convenience, by the saving of time and labor to the officers of the government, and to those having business to transact with it. It is recommended, for the obvious reasons before suggested, that the duties of navy agent at the yard and at the navy yards hereafter be separated from those of the commander of the yard; and that the usual responsibility, and a just compensation, be annexed to the former office. (C. No. 7.) Indeed, the whole system of compensation to navy agents, whether permanent or temporary, has for many years depended so much upon large and arbitrary allowances, very questionable in some particulars in point of principle, that further legislation on the entire subject seems highly proper.

A new arrangement in respect to the draughts by our agents on two foreign stations, and in respect to the payment of the draughts drawn on all of our foreign stations, when payable in London, has lately been concluded on terms much more advantageous to the government.

As a part of the plan for the gradual improvement of the navy, the attention of this department has, for some years, been turned

to the rearing of live oak, and to its preservation, when found growing on the public lands. About a quarter of a century ago it was estimated that the full growth of between four and five hundred acres of timber trees were annually requisite to keep the British navy in its condition at that time, and that the rise in value, as well as scarcity, of good building materials in the progress of high agricultural cultivation, that the royal forests of England, preserved for public purposes, have sometimes been considered one foundation of her naval greatness.

The plantation of trees, commenced a few years since in Florida, was not deemed a proper subject of further attention by my immediate predecessors, more, however, it is presumed, from doubt about the legality and necessity of that particulate measure, than about the utility of careful attention to either the growth or safety of our live oak generally. No expense in respect to the plantation has yet been authorized by me, except such as seemed indispensable to secure the benefits of previous expenditures. A more extended plan of agents and vessels for the discovery and preservation of such live oak as is now growing on the public lands, was devised last winter, dividing the seaboard from the St. Mary's to the Sabine into seven districts, with an agent in each, and stationing three small vessels at proper distances on the coast, to aid in the same object, and in the survey of the bays, navigable creeks, and rivers of that region. This plan had advanced so far in May, that it could not be at once discontinued without much loss. The measures necessary for a fair test of its merits have therefore been completed; its benefits, if any, and, if not, its objections will soon be developed, and, whether failing or successful, the trial, it is hoped, will lay the foundation for full information as to the quantity and location of this kind of timber, will assist the government in the reservation of those public lands where it abounds, and enable the department hereafter to recommend a substitute less expensive and equally efficacious. In the paper annexed (J) is a minute detail of the proceedings on this subject.

Intimately connected with the interests of the service, are the purchase and use of iron tanks in all our vessels in commission; they are now prepared only for ships of the line and frigates built out of the fund for the gradual increase of the navy. The convenience derived from them in ballasting, the increased capacity they leave for stores, the greater security to health in the quality of the water—all conspire to render a specific appropriation for this object very desirable, and in the end economical. (K.)

The building of steam batteries is another subject of much interest. While such astonishing improvements are making in the application of steam, it would be imprudent to overlook its probable importance hereafter in marine warfare, or fail to keep pace with other naval nations in any new means of attack or defence. The experiment made here soon after the successful introduction of this power, in the building of a steam frigate, was, perhaps, equal to the state of skill in the use of the power at that period. As that frigate however has been destroyed by accident, and as the machinery since obtained for other steam vessels of war is not the best now extant for such purposes, it is recommended that an appropriation be made to enable the department to exchange it, or to purchase new and more appropriate machinery, and to erect, soon as may be, two steam batteries of twelve heavy guns each, on the most modern and approved models (L.)

The improvement of the navy depends so much on the character of its officers and seamen, as well as on its vessels, docks, yards, and building materials, that your attention is invited to some circumstances calculated to exercise, in that respect, a favorable influence. It would hardly be useful or decorous to dwell on former recommendations from this department in respect to many important changes, chiefly as regards rank and pay, a limited peace establishment, a naval academy, further discriminations in favor of sea service, additional provision for hospitals, the abolition of such a large and vexatious system of discretionary allowances, a division of the duties of the naval board, a change in the powers of purveyors, and in the mode of making purchases for the medical department. Most of these recommendations have my devoted approbation. In addition to them, the state of the service imperatively requires the adoption of a few alterations connected with the instruction on ship-board to young officers, and with the welfare of some, who are highly useful in their stations, though acting in subordinate capacities. Thus, it is believed, that greater benefits of duration to the youthful midshipmen, while at sea, could be obtained by a more liberal compensation to schoolmasters, who draw attention to the physical and religious preservation of naval boys and instruments; that the important class of sailing-masters, as they are not in the line of promotion, will soon become extinct without emoluments more nearly equal to what can be commanded by them in the merchant service; that the carpenters and joiners are paid much less than those not in commission; and that the wages of gunners and boatswains are entirely unjustified. It happens that the moral and religious benevolence anticipated from the employment of chaplains, in our vessels abroad, though earnestly desired, cannot be fully obtained by the department, in the present condition of that class of officers. This misfortune occurs, in part, from the bodily infirmities of a majority of them; but so far as it springs from the smallness of the number, and the insufficiency of their compensation, it is hoped that Congress will furnish a remedy.

It gives much pleasure to observe that the occurrence of courts martial is becoming less frequent; that your resolution to protect the oppressed, whether seamen or officers, and at the same time to carry sentences into full and final effect against those clearly convicted, and that the salutary alterations in punishments recommended during the past year are beginning to produce a beneficial influence.

Notwithstanding the high wages and great demand for seamen in our rehaut vessels, the naval service continues popular. No difficulty has been experienced in obtaining crews seasonably; indeed, the recruiting rendezvous were closed some months ago, and in the interim, till more men were wanted, they made repeated applications for the rendezvous to be re-opened. Much care has been exerted to promote the welfare of our seamen. Whenever their terms of service expire abroad, they have, for some years, if not consenting to re-enlist, been sent home at the public expense. But the latter course is attended by inconvenience and cost, arising mostly from short differences in the periods of service in a large crew, and for which the most effectual remedy would be found in congress authorizing men to be enlisted not only for three years, but, if sailing to a foreign station within the first year, then to extend three years from the time of sailing. Two orders are annexed, (M, 1 & 2), which have been issued during the past season, chiefly with a view to ameliorate the condition of this class of men. Besides these, other attentions, of late years, to comfort in their dress, to greater dryness and warmth in their apartments at sea, to new securities against disease, and better accommodations while sick, appear to have excited increased and permanent attachment on their part to that service in which they have helped to cover their country with such durable glory.

Many useful changes in the naval code, as to the punishment of officers, have before been urged; and, in addition to them, the power to order courts in yards and vessels within the limits of the United States, in the same way as on board public vessels at sea, would be a great convenience.

The discontinuance of the marine corps, or its transfer entirely to either the army or the navy, has been the subject of former recommendations from this department. In its present fluctuating condition, without any imputation on the character of the officers, of the corps, frequent difficulties in relation to pay, allowances, trials, and orders, are necessarily happening; and part of which proceeded to such an extent as to require a special resolution of congress in 1830, and a particular provision in the appropriation bill of 1831. But by placing this establishment, as in former years has been proposed, wholly under navy discipline and laws, most of these difficulties might, in my opinion, be obviated, all the present benefits of it to the service retained, its increase in numbers rendered unnecessary, its old associations preserved, and much greater economy, harmony, and energy infused into its operations, without derogating at all from the respectability and usefulness of the corps. Should the system recommended in the document annexed (C, No. 12) be fully adopted, the saving is estimated at over 40,000 dollars annually. But, in that event, the officers not needed should, in justice, be transferred to the army, and the saving to the government would then fall short of that amount. In its hospital and staff departments alone, a change of less extent as to officers would save to the public more than 10,000 dollars annually; and a portion of the expense call for new barracks, presented in the estimate of the present year, would be reduced one-economy. The appropriation at the last session, for those at Philadelphia, was so expressed, that the officers of the treasury did not feel authorized to allow the expenditure.

The condition of the navy pension and navy hospital funds, they being under the charge of other officers in connexion with the secretary of the navy, will be made the subject of a distinct report by the committee, and with a view to greater aid, in my opinion, very salutary changes in their future management. The statement of the privateer pension fund the past year is disclosed in the annexed report. (N.)

The large supply of lead in the hands of the government, as recited from the public mines, being three or four millions of pounds beyond what has been used by the war department, and the great quantity needed in the navy being annually, for ten years past, about fifty thousand pounds, induce me to recommend that from those tons a quantity equal to our naval wants be yearly set apart, and placed at the disposal of this department.

The deaths, dismissals, and resignations, the past year, are detailed in the list annexed. (O, 1 & 3.)

The general estimates for the ensuing year are presented in the document before referred to, and marked (C, No. 1 to 15). In these an attempt has been made, in conformity to what is believed to be the true spirit of our institutions and the repeated wishes of congress, to enable the legislative authorities to render the appropriations more specific, and to place the enumerated contingent fund in a condition to meet more nearly and promptly those demands upon it, so far as applicable to the contingent of the navy. Although the whole expenses of the last year did not equal the whole appropriations and balances on hand for the naval service, yet the enumerated contingent, as in former years, has proved insufficient. The remedy, heretofore suggested to supply all past deficiencies, is considered preferable to any former practice of resorting to other specific appropriations.

In the mode of keeping accounts with persons responsible to this department, great latitude has been allowed in the transfer of appropriations from one object to another, that the disbursing officers stand charged with large and almost incredible sums under some heads, and credited with almost equal sums under other heads; but which balances cannot be legally settled without the authority of congress. As this difficulty has generally originated more from carelessness than dishonesty, and, though censurable in principle, has probably caused no essential injury to the public, it seems indorsed to allow, under the usual guards against imposition and loss, the privilege of an adjustment to the persons interested. No other course is perceived which will enable the accounting officers connected with this department ever to close these transactions on their books, and to introduce, with full effect, an accurate and improved system. These unsettled balances now exceed seven millions of dollars. Again, by carrying the balances not expended from the contingent appropri-

ations to the surplus fund, instead of reserving them, as in the case of pay, provisions, &c., to meet future claims, (and in the necessities of the service abroad these claims cannot always be early received and adjusted), the demands on those contingent appropriations in some former years have not only exceeded these amounts, but cannot now be discharged from any surplus of other years. Nor should the deficiency be taken, as done at some prior periods, from different heads of appropriations, without an express legal provision; nor can it be taken from any existing appropriation for arrears, as none has been made the last few years. To settle these just demands, it will therefore be necessary to appropriate to the object the balances of all former years carried to the surplus fund, or to make a new appropriation of about 800,000 dollars. This latter course is the more definite, and seems due to all the claimants, and especially to the meritorious officers of the navy. To obviate this difficulty in future, it will only be necessary that the appropriations for contingencies should assume the form of those for pay and subsistence, without any increase of their whole amount; that these appropriations in other respects should correspond with the appropriations for the present year, by throwing some of the enumerated items upon other and specific heads, and thus lessening the gross nominal sum for contingencies over 100,000 dollars; and that due vigilance be exercised in the department to confine the demands on these appropriations within the limits of the sums provided. There will probably be on the 1st of January next an unexpended balance from all the appropriations of last year to the navy of nearly twenty times this 80,000 dollars; but it may all be required when the whole accounts for the year are closed; and if not, as before remarked, it would seem, on any correct principles of legal construction and of administering specific appropriations, not to be applicable to these old arrears, or to different heads from those particularized, without the special authority of congress. (P.)

If the system of making surveys of our coast by naval officers at great exposure and toil continues to meet public approbation, a specific appropriation to reward the extra services in that employment the last year, as well as any in future, to the amount of 2,000 dollars annually, will be necessary.

It would conduce much to the convenience of officers in the navy, without incurring any great risk to the public, if this department were empowered to advance the allowance for travel and transportation when orders are given for duty within the United States—the authority to do it now being confined to the case of orders for service abroad.

Under an appropriation made at the last session, the naval monument has been removed from the navy yard, in this city, to a site west of the capitol. The expense has not exceeded the estimate, although, in addition to the repairs, about two hundred dollars' worth of labor, not included in the estimate, will be required fully to compensate the contractor, if he proceeds to remove the inscriptions, besides giving uniformity of color to the statues. But, as the appropriation is already exhausted, must depend solely on the liberality of congress. (Q.)

The general appropriation for the suppression of the slave trade has had but small demands upon it, in addition to the special charges imposed by congress in favor of Armstrong and of Livingston's heirs. For information in relation to the expenditures the past year, and to the property of the United States in Africa, acquired by former expenditures on this subject, a document is annexed. (R, 1 and 2). This property may require some new legislation concerning its sale or preservation. Though an agent is still maintained at Liberia, the report from the commander of the Java, before named, containing all the intelligence received from the establishment at that place during the last year, is a letter announcing the loss by piracy of a vessel in the employ of the volunteers. From the nature of the transaction it may be questionable whether any hostile designs are meditated against the commerce of the United States by those who committed that outrage. But measures were immediately taken to obtain full information on the subject; and the earliest opportunity will be embraced to have that region of country again visited by one of our public vessels.

With a view to a more uniform and satisfactory administration of both the naval and civil branches of this department, the rules and regulations, published in A. D. 1878, have been carefully revised, and enlarged as to naval duties, and the different orders, circulars, and decisions, now in force in relation to the transmission of business to this department and the officers of the navy, with their several rules of a civil character in respect to the service, have been collected in some cases amended; and in all condensed. The whole of the work will soon be submitted for your approbation, and, if receiving it, will be afterwards laid before congress. Their distribution and strict enforcement hereafter will, it is hoped, contribute to system in business, harmony in the service, and economy in the public disbursements. This last kind of economy, and in some degree conformity to what is supposed to be the wishes of the people in respect to so important an establishment; and without any augmentation of officers not before sanctioned, and without the recommendation of any doubtful novelties in our expenditures, every thing has been attempted, which promises to ensure, with frugality, promptitude, and vigor, the promotion of the great ends of naval protection and defense.

With much respect,
LEVI WOODBURY.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 16—VOL. V.

BALTIMORE, DEC. 24, 1831.

[VOL. XLII. WHOLE NO. 1,357]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The present number contains twenty-four pages of closely printed matter, but does not get in one half the articles that had been prepared or laid off for immediate insertion. Perhaps, we may find room for some of them next week—but the current of new materials is powerful! Several articles in manuscript are among those postponed.

☞ The chairman of the permanent committee of the friends of domestic industry, raised by the convention which lately met at New York, begs leave to inform all persons interested—that the labor and difficulty encountered in distributing the address and reports of the convention, have been oppressively increased because of the early and unexpected interruptions of conveyances by water—the excessive charge made for the postage of pamphlets forbidding a general circulation of these articles by the mails. The address, however, has been nearly disposed of, and several thousand copies of the report on iron, &c. are under way; and the best arrangements within his power has been made to distribute what remains on land, or may hereafter be published, with all possible promptitude, reconcilable to a moderate charge on individuals receiving those important papers.

☞ We had prepared, with much labor, (because of the manifest hurry and high state of excitement in which the details had been published in the London papers), a kind of history of the late terrible riots in the city of Bristol, as being, possibly, the commencement of a series of events which may shake the British nation to its centre, and have a mighty influence over the relations of a large part of the civilized world. But that labor is lost; for we cannot insert the account, except by the omission of some articles of a domestic interest; and it is our "system" rather to regard things at home than those abroad. The latter, besides, have less of novelty in them to a large portion of our readers, being generally anticipated by the *lithral press*, and spread in all directions; and it must suffice at present to say, that on Sunday, the 30th Oct. a succession of riots took place at Bristol, of a most furious and reckless character—immediately produced by the official entry of the recorder, Sir Charles Whetthell, an anti-reformer. With difficulty, he reached the mansion house—there the state coach was broken and then the house attacked—Sir Charles and his party making their escape in the rear. The people and the police many times charged upon one another, with sticks and clubs and stones—some were killed and many much injured. The military was introduced, but cheered by the mob, and much good feeling seemed to exist between the parties. They, however, pretty soon came into collision, and for a while the soldiers restrained the people; but, at last, the mob got the ascendancy, and the end was the destruction of the mansion house, the bridewell, the new jail, certain toll-houses, the bishop's palace, the custom-house, the exercise office, and 42 other dwellings or houses, by fire! The mobs plundered the wine vaults and liquor shops—thousands became intoxicated, and some suppose that hundreds of miserable wretches perished in the flames which they themselves had kindled. In the end, the mob having seemingly exhausted itself, or because that time was allowed to collect a strong military force, order was restored, and some persons, charged with being ringleaders, arrested. All the criminals were released from the prisons, and cheered by the mob. A tri-colored cap was placed on the statue of the king.—All things were done in greatest excess; and the whole presents a view of the most terrible mob that we have heard of for many years past. It is a frightful picture of what may be expected in England, if the people of that country shall break the chains that hold them in poverty and submission, to the aristocracy and priesthood. The

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bishops, by their votes against reform, appear to have offended beyond the hope of forgiveness; being before, the most unpopular individuals in England.

Much feeling prevails in many parts of England. The parties for and against reform talk openly of arming themselves. Associations of national guards are advised. A military hierarchy is talked of. An appeal to "physical force" is freely mentioned! A great crisis seems at hand—whether to relieve the working people and finally redress their wrongs, or confirm their masters in the possession of their grinding powers, we shall not predict. Acts of violence, like those committed at Bristol, cannot be justified—and yet how else is it that a population conditional like the laboring classes in England, can expect to obtain their "long lost liberty?" The time will come—must come, just as certainly as that all men shall die, when the British system of church and state, monopoly and exaction, inordinate luxury and beggarly poverty, will terminate by peaceful interference or rivers of blood. The artificial state of things must yield to realities. The ultimate point of oppression seems to have been reached, and reaction must be expected. "A feather will break a camel's back" says the Arabian proverb;—and there is a grade of privation when the lack of one potatoe, may raise the cry of havos and let slip the hyena-spirit of civil war.

Holland and Belgium appear to be settling down into peace. The president of Greece has been assassinated—the affairs of this country are in the worst state. France was quiet, and many efforts were making to encourage the industry of the kingdom. Nothing important has been received from Poland—the dominion of the autocrat, however, was fully established, and punishments were going on. The cholera was committing dreadful ravages in Egypt—nearly 1,000 persons a day had died at Cairo! The harem of the pacha had been attacked by it, and he had sought refuge on board a vessel of war—his son Ibrahim had retired to Upper Egypt.

MR. VAN BUREN. It has been extensively believed that certain parts of the instructions to Mr. McLane, on his mission to England, by Mr. Van Buren, while secretary of state, would become a subject of pointed discussion in the senate of the United States, which we now clearly understand will take place, from the following significant paragraph in the National Intelligencer of yesterday.

The British negotiation.—In the course of some incidental debate in the senate on Mr. Holmes's resolution proposing to call upon the executive for certain further information concerning the West India trade, Mr. Webster made remarks to the following effect, the bearing of which induces us to state it, though the rest of the debate does not appear.

"From the close of the late war down to a very recent period, it has been the object of the several administrations to secure a reciprocity not only to the navigation, but to the commerce, the traffic in commodities, of this country with England. Since the recent period alluded to, that purpose has been abandoned; and an arrangement has been completed, in conformity with instructions given by the government here to the minister at the court of St. James; given, sir, in terms and in a temper which may very properly become the subject of public examination and comment here; I say, sir, of public examination and comment."

INDIANA. Gen. John Tipton was elected a senator of the United States from this state, in the place of Mr. Noble, deceased, (whose seat has been held for the time being by Mr. Hanna) on the 7th ballot. For Gen. Tipton 55, Jesse L. Holman 36, several others 14. Gen. T. is said to be a friend of the president.

"**HER HURNAR!**" By the report of the secretary of the navy, it seems that some claim has been made "to disturb our vessels engaged in seal-catching at the Falkland islands." "**HER, HURNAR!**"—"our naval force in that region will soon be strengthened." It is also stated that an outrage was committed on an American ship on the North West coast of Sumatra—"HER, HURNAR," and quickly away goes an American frigate to procure "indemnity." And we have long and interesting accounts of our squadrons in the West Indian and Mediterranean seas, and South Atlantic and Pacific oceans, all zealously and faithfully engaged in the protection of commerce; and the "**HER HURNAR!**" is heard in thunder when a rope-yarn of a ship is ludicrously touched. Very well—this is all right—let the stripes and stars protect all persons and property sailing under them. But pirates at New York, and in other of our sea-ports, defraud the public revenue of hundreds of thousands of dollars, and cheat the growers and manufacturers of wool out of that protection which the law is intended to give them—they forge invoices, make false oaths, tear off the marks and numbers of their goods, and do more injury, in one month, than the whole trade at the Falkland Islands, or in the Mediterranean, render profit in a year—but there is no "**HER HURNAR!**"—These are "free trade" BULL's doings, and gracious in our eyes; they are things not immediately connected with property in ships—and the domestic growth and manufacture of wool, which have a greater annual value, as we believe, than every article of American product exported to all parts of the world, is quietly submitted to piracy, compared with which that happening at the distant island of Sumatra, is, as it were, only a drop in the bucket—or mere atom of wrong! The expense of the frigate sent to Sumatra, it wisely disbursed at home, would advance the profits or increase the comforts of a million of farmers and other working people, including their families—free citizens of the United States, seeking the protection of equal laws.

It is high time that this manner of proceeding was fully looked in the face. We cannot see why the pursuits of persons abroad are sacred, and those of persons at home unprotected. The *tax talonia* was once nearly applied because of this state of things, by resolving to refuse all appropriations for the support of distant expeditions of vessels of war. There is power enough in congress to do it now. If the "free trade" party possessed such power, what would they do?—that "free trade" party which is always seeking, and promptly obtains full protection, while it wants the moral sense of justice to yield it to others, ten or twenty times more numerous than the non-lives, equally contributing to the public wants, and equally responsible for the public safety.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

December 19. Mr. Benton, of Missouri, appeared and took his seat.

On motion of Mr. Holmes, the message and documents relative to the affair between certain American citizens and the authorities of New Brunswick, were ordered to be printed.

Several private memorials were presented.

Mr. Tazewell presented the memorial of the general assembly of Virginia, praying the payment of certain claims.

Mr. Troup presented the memorial of the surgeons and assistant surgeons of the army of the U. S. praying an increase of pay.

Mr. Chambers presented the memorial of the Columbian college, praying donations of certain lots in the city of Washington.

Mr. Kane presented three memorials of the general assembly of the territory of Arkansas, praying aid in the construction of certain roads, and for the continuation and extension of the national road.

The vice president communicated a survey of the Wabash river.

Mr. Smith, from the committee of finance, made a report, accompanied by a resolution, that it is inexpedient at this time to act on the subject of the memorials praying an immediate reduction of the duties on teas.

Mr. Chambers obtained leave to bring in a bill to settle the interest of certain advances made by sundry states during the last war.

Mr. Clay inquired whether it was the intention of the chairman of the committee, to bring the report relative to the reduction of duties on teas before the senate, so that there might be a general expression of the whole body on the subject. He avowed himself to entertain views entirely different from those of the report.

Mr. Smith, the chairman, said a few words in reply.

On motion of Mr. Hanna, the resolution moved by him on Thursday last, instructing the committee on the militia, to inquire into the expediency of organizing the militia, between the ages of 21 and 35, and to increase the annual appropriation for arming them; was read, and after discussion, adopted.

On motion of Mr. Holmes, his resolution calling on the president for certain information relative to the N. E. boundary question, was, on motion, after discussion, referred to the confidential sitting.

The senate then proceeded to the election of officers of the senate, and the vice president having desired the senators to prepare their ballots for secretary,

Mr. Chambers rose, and called upon the secretary to explain to the senate, whether he had given certain information to the president, of the probable result of one of his nominations, at the last session, while it was still pending before the senate. After some remarks from Mr. Brown and Mr. Hayne,

The secretary then stating, through the president, a wish to address the senate, and the wish being seconded by the general consent of the members,

Mr. Lowrie rose and stated that the specific charge he had not seen; but so far as he understood it from what had been read, he had no explanation to make further than the most indignant denial of the whole charge. Since he had held the office of secretary, he never had, either during the administration of Mr. Adams or gen. Jackson, communicated to either of them a word relative to any nomination, nor never, indeed, did either of them ask him a question on such a subject. Self-respect as well as duty, would have prevented him. He understood the charge to be made in a letter from Mr. Lewis, that during the last session such a communication was received from him (Mr. Lowrie). He recollected that some time in the session—not the 2d March, however, he was confident—when going into the president's on official business, Mr. Lewis asked him if some nomination would be confirmed; but, it it were to save my life, said Mr. Lowrie, I could not tell what nomination it was. If, however, he had asked me whether Stephen Simpson's nomination would be confirmed, I should certainly have answered no—not because I knew the opinion of any one senator, but from the character of Simpson. That answer I should have given a year before, or would give now. But I appeal to every senator who was then here, whether I ever spoke a word to one of them on the subject of that or any other nomination. It was his impression, derived from his opinion of the man's character, and would have been given as his private opinion—not as derived from a knowledge of the views of any senator. This was all he had to say, whether it might be called an explanation or not.

The senate then proceeded to the election of secretary, when Mr. Lowrie received 40 votes—scattering 1. Mr. Lowrie was accordingly elected.

Mountjoy Bayly was re-elected principal door keeper.

Mr. Shackford, of Missouri, after six ballottings, was elected assistant door keeper. There were eighteen applicants.

The rev. Mr. Durbin, of Ky. was, on the second ballot, elected chaplain.

The senate spent some time in executive business, and then adjourned.

December 20. Mr. Benton introduced a bill providing for mounting and equipping a portion of the army of the United States, which was read.

Mr. Smith introduced a bill to provide for the arming of certain fortifications—which was read.

Mr. Wilkins introduced a bill to provide for the satisfaction of the claims of certain American citizens for spoils committed on their commerce prior to September, 1800—it was twice read and referred to a select

committee consisting of Messrs. *Wilkins, Webster, Chambers, Brown and Dudley.*

Sundry private memorials were presented and referred.

Mr. *Robbins* moved a resolution instructing the committee of finance, to inquire into the expediency of reviving the acts providing for the payment of the loan office and final settlement certificates, which appear by the registry of the debts of the U. S. to be still unpaid.

Mr. *Holmes*, of Maine, rose to call the attention of the senate to a passage of the president's message, in which the arrangement with Great Britain, in regard to the colonial trade, was referred to, and the beneficial effect of that arrangement on American navigation in the increase of American tonnage asserted; and Mr. H. proceeded by a series of remarks, and a reference to the public documents, to show that American tonnage engaged in the British colonial trade had greatly fallen off, and the British tonnage admitted into our ports greatly increased, since the arrangement went into effect. He concluded by moving the following resolutions, which were read, laid on the table, and ordered to be printed, viz.

Resolved, That the president be requested to cause to be communicated to the senate the number of vessels and their tonnage and cargoes which have cleared from any ports in the United States to any port or place in the British American colonies since the president's proclamation of 5th October, 1830; distinguishing those, if any, which cleared for such ports and places, and a market, or for a British port or place, or some other port or place; distinguishing also American flag foreign tonnage; and also the entries of all vessels from any British colonial port with their cargoes, since the above proclamation; distinguishing the tonnage as above, and designating the British port or place from whence the cargoes were imported.

Resolved, That the president be requested to inform the senate what amount of American and foreign tonnage (distinguishing those, if any, which cleared for, and entered from the several Danish West Indies, since the president's proclamation of the 5th October, 1830, with the kind and amount of the cargoes.

Resolved, That the president be requested to inform the senate whether, since his proclamation of the 5th October, 1830, British vessels have cleared from the United States, for any port in the British continental colonies in America, and have sailed directly to the British West Indies, by virtue of clearances previously obtained from custom houses in those continental colonies, thus performing voyages circuitous on paper but in fact direct.

Resolved, That the president be requested to inform the senate what are the duties paid on British American vessels and their cargoes respectively, in British ports in the West Indies and the other British American colonies, distinguishing between the West Indies and the other colonies, and between American and British vessels, and the produce of the United States and of the colonies.

The senate took up for consideration the report of the committee on finance, on the memorials of the merchants of New York, Philadelphia, and Pittsburg, praying that the reduction of the duties on teas may take effect on the first day of January, ensuing,—the report being adverse to the prayer of the memorialists. A debate ensued thereon, in which Messrs. *Webster, Clay, Hayne*, and *Chambers* participated. On motion, of Mr. *Chambers*, the report was finally laid on the table.

The senate then resumed the bill supplementary to the act for the relief of certain surviving officers and soldiers of the revolution, together with the amendment reported thereto by the committee on pensions—which, on motion, of Mr. *Foot*, was made the order of the day for Monday next. The senate then adjourned.

December 21. Mr. *George M. Dallas*, elected a senator by the legislature of Pennsylvania, attended this day, was qualified and took his seat.

Mr. *Johnston* moved a resolution instructing the committee on commerce to inquire into the expediency of making an appropriation to deepen the mouth of the Mississippi—Also a resolution instructing the committee on military affairs to inquire into the expediency of building barracks, &c. for the accommodation of the troops at New Orleans.

Mr. *Buckner* moved two resolutions requiring information relative to the present situation and condition of the unconfirmed land claims in the state of Missouri, and as to the expediency of an adjustment thereof.

Mr. *Pinckney*, moved the following resolutions:

1. *Resolved*, That the committee of finance be instructed to inquire into the expediency of fixing a rate of duties on foreign imports, not to exceed on any article imported into the United States, more than twenty per cent. of value, and not to reduce the duty on any article so imported below ten per cent. of value; and to arrange such duties, having regard to all the great

interests of the country, so as to produce a net revenue of not less than fifteen millions of dollars annually.

2. *Resolved*, That the said committee be further instructed to inquire into the expediency of giving effect and operation to said system of duties on the 30th day of June next.

The senate took up the resolutions submitted yesterday by Mr. *Holmes*.

Mr. *Webster* made some remarks to shew that there existed a considerable misconception in regard to the effects of the arrangement with Great Britain, and suggested a modification of the resolutions, so as to render the call for information more complete; and after some explanatory remarks from Messrs. *Holmes* and *Smith*, the resolutions were further laid on the table at the request of the latter gentleman, who wished further time to look into the subject.

The bill to authorize the mounting and equipment of part of the army of the United States; and the bill providing for the armament of the fortifications, were severally read the second time and referred.

The senate then spent some time in executive business and then adjourned.

December 22. A large number of petitions and memorials were presented, and several reports on private claims made and referred.

Mr. *Pinckney* obtained leave to bring in a bill concerning *Mutha Randolph*, daughter and only surviving child of Thomas Jefferson, deceased.

The resolution of Mr. *Holmes*, relative to the West India trade, were taken up and agreed to.

The resolutions moved yesterday by Mr. *Buckner* relative to unconfirmed land claims in Missouri, was taken up and adopted—the one concerning their adjustment was also taken up, but, at his motion, laid on the table.

The resolutions submitted yesterday by Mr. *Johnston*, were taken up and agreed to.

The bill to enable the president to extinguish Indian titles to lands in the state of Indiana, was taken up, amended, and the bill ordered to be engrossed, and read a third time.

Mr. *Holmes* moved a resolution requiring a map of the disputed north eastern boundary to be made.

The senate spent some time in executive business, and then adjourned.

HOUSE OF REPRESENTATIVES.

Monday, Dec. 19. About a hundred and sixty memorials were presented, among which was one by Mr. *Barbour*, of Virginia, from the legislature of that state, relative to claims for revolutionary services, which was referred to a select committee.

Mr. *Arnold* presented the memorial of Sam'l Martin, of Tennessee, praying that all actual subscribers of newspapers and pamphlets not exceeding one sheet, should pass free without postage—that letters to printers be also free; that the 2 cents charged on free letters for delivering be abolished; that as soon as the national debt be paid off, the expenses of the post office department be paid out of the general fund; and that all the papers in the U. States be employed to publish the advertisements of the post office, and laws of congress, and be paid each \$100 per annum.

Mr. *Whitteley*, from the committee of claims, reported 38 bills, which were severally read and made the order of the day for to-morrow.

Mr. *Doddridge*, from the committee for the district of Columbia, made a report on sundry memorials of citizens of Pennsylvania, on the subject of slavery in said district—the report concludes with a resolution, praying that the committee may be discharged from the further consideration of the prayer of the memorialists.

The resolution relative to information concerning steamboat explosions, was adopted.

The resolution laid on the table on the 15th instant by Mr. *Whitteley*, calling for information from the secretary of the treasury, concerning a claim due to the U. S. by the commercial bank of Lake Erie, was called up and passed.

A resolution relative to the boundary line between Georgia and Florida, was taken up and adopted.

On motion of Mr. *Evans*, of Maine, the committee of commerce were instructed to inquire into the expediency of making an appropriation for the purpose of removing obstructions in the Kennebec river.

On motion of Mr. *Duncan*, the committee on internal improvements were instructed to allow the state of Illinois to apply the proceeds of a grant of land to construct a rail road instead of a canal, as heretofore authorized.

On motion of Mr. *Dearborn*, the committee on manufactures were instructed to inquire into the expediency of exempting from duty, teas, coffee, wines, pepper, spices, indigo, and wool, the current market value of which in the United States, at the time of importation, shall not exceed 12 cents per pound.

Tuesday, Dec. 20. A great number of petitions and memorials were presented and referred.

Mr. *Clay*, reported a bill authorizing the sale of the public lands in lots of 40 acres, which was read twice and made the order of the day for to-morrow.

Sundry bills on private claims were reported, read, and referred.

Mr. *Drayton* reported a bill to regulate the pay and emoluments of the officers of the army—which was referred to the committee of the whole on the state of the union.

Mr. *Hoffman*, reported a bill authorizing the construction of naval hospitals, at the navy yards at Charlestown, Mass., Brooklyn, New York, and at Pensacola, which being twice read was referred to the committee of the whole. Also a bill to provide for completing the navy hospital at Norfolk, and the naval asylum at Philadelphia—which being read, was referred as above.

Several private bills were reported, read and referred.

Mr. *McDuffie*, from the committee of ways and means, reported a bill to explain an act, "entitled an act to reduce the duties on coffee, tea, and cocoa, passed 20th May, 1830"—which was twice read and made the order of the day for to-morrow.

Mr. *Dearborn*, for the present, withdrew his resolution relative to the duty on teas, coffee, &c.

The house adjourned.

Wednesday, Dec. 21. A number of petitions were presented. Several reports on private claims were made.

A message was received from the president concerning tonnage duties paid by American vessels in the colonies of France—which was read and referred to the committee on commerce.

Mr. *Huntingdon*, of Conn. laid the following resolution on the table.

Resolved, That the secretary of the treasury be directed to communicate to this house the amount of duties on foreign merchandise which may have been remitted, in pursuance of the authority vested in him by the act entitled "an act for the relief of certain importers of foreign merchandise," approved March 2, 1835, together with the names of the importers of such merchandise, and whether imported on account of citizens of the United States or of foreigners, (if known), and the time and place of the shipment of the same, and of the entry thereof at the custom house.

On motion of Mr. *Stewart*, a resolution passed by the legislature of Pennsylvania, in favor of a subscription, by the general government, of a million of dollars towards the stock of the Chesapeake and Ohio canal company, was referred to the committee on internal improvements.

Mr. *Carson* moved a resolution, which was adopted, instructing the committee on the District of Columbia to report a bill providing for the election of a delegate, in the said district, to the U. S. house of representatives.

On motion of Mr. *Wickliffe*, it was

Resolved, That the committee on internal improvement be instructed to inquire into the expediency of making an appropriation of money for the purpose of purchasing the stock held by individuals in the Louisville and Portland canal, with a view of making the navigation of the said canal free to the commerce of the Ohio and Mississippi rivers.

On motion of Mr. *Wing*, it was resolved to instruct the committee on military affairs to inquire into the expediency of constructing a public road from fort Howard, at Green Bay, to fort Crawford, on the Mississippi.

On motion of Mr. *Gilmore*, the committee on internal improvements were instructed to inquire into the expediency of making a national road from the city of Pittsburgh to the borough of Erie on Lake Erie.

On motion of Mr. *McCarty*, the committee on internal improvements were instructed to inquire into the expediency of granting permission to the state of Indiana to make certain roads through the national lands, and of granting to Indiana each alternate section of land through which the said roads, may pass, on each side thereof.

On motion of Mr. *Wm. B. Shepard*,

Resolved, That the committee on internal improvements be directed to inquire into the expediency of confirming the acts of incorporation granted by the legislature of North Carolina to the Roanoke inlet company, in 1831 and 1839. And that said committee be directed to inquire into the expediency of surveying said Roanoke inlet, with a view of re-opening the same, and that the papers now before the committee of commerce be referred to the committee on internal improvements.

On motion of Mr. *Duncan*, the committee on roads and canals were instructed to inquire into the expediency of extending the national road from Vandalia to the Mississippi river above the mouth of the Missouri, and of making an appropriation therefor.

On motion Mr. *Drayton*, the committee on naval affairs were instructed to inquire into the expediency of fixing the pay, &c. of the marine corps.

On motion of Mr. *Drayton*, it was *Resolved*, That the committee on commerce be instructed to inquire into the expediency of revising the existing laws under which compensation for their services is allowed to the officers of the customs, and of so altering them, as to place these officers upon a more just and equitable footing.

On motion of Mr. *Fitzgerald*, it was

Resolved, That the committee on the public lands be instructed to inquire into the expediency of ceding to the state of Tennessee the refuse lands south and west of the congressional reservation line in said state, the proceeds of said lands to be applied to purposes of education or internal improvements, in said state.

Mr. *Blair*, of Tenn. introduced a resolution inquiring into the propriety of building an army on the western waters.

On motion of Mr. *Fance*, it was

Resolved, That the clerk of this house purchase three hundred and fifty copies of the journals of the old congress, from 1776 to 1789, for the use of the members of the house of representatives; provided the same shall not cost more than two dollars and fifty cents per volume.

Mr. *Carr*, of Indiana, introduced a resolution inquiring into the propriety of reducing the price of the public lands.

A large number of resolutions, of a local character, were offered, and variously disposed of. Adjourned.

Thursday, Dec. 22. Forty-one memorials, &c. being received—Mr. *Davis*, of Mass. presented three resolutions of the legislature of Massachusetts, on the more efficient organization of the militia; the obtaining of certain documents in the plantation office in Great Britain; and recommending the objects of the colonization society to the favorable consideration of congress.

Mr. *Hoffman*, of New York, reported a bill providing for a survey of the coast of the U. States—read and referred.

Mr. *Cambreling*, of New York, reported a bill authorizing \$3,000 to be distributed among the owners, officers and seamen, of the Spanish brig *Leon*, for services rendered the crew of the American ship *Minerva*, wrecked on the Bahamas bank—twice read and referred.

Mr. *Carson*, of N. C. reported a bill to establish assay offices in the gold regions of N. Carolina, S. Carolina, and Georgia.

Mr. *Mercer*, of Va. submitted a resolution requiring information as to the amount of expenditures made by the general government in breakwaters, moles, the improvement of the mouths of rivers, &c. &c.

The resolution of Mr. *Huntington*, relative to the amount of certain duties remitted, was taken up and adopted.

The resolution relative to certain surveys, &c. moved by Mr. *Mercer*, yesterday, was adopted.

Mr. *Whitteley's* resolution relative to opening a land communication between forts Howard and Crawford, was taken up and adopted.

On motion of Mr. *Hunt*, inquiry was instituted as to the propriety of dispensing with the signature of the president to patents.

Mr. *Drayton* moved a resolution instructing the committee on commerce to report a bill regulating the compensation of certain custom-house officers on the northern frontiers.

Mr. *Heister* moved a resolution requiring certain information as to the amount of postage received on newspapers and periodicals for the five preceding years, and as to the propriety of abolishing postage on newspapers and periodicals.

Mr. *Craig* moved a resolution inquiring into the expediency of increasing the pay of certain distributing post masters.

Mr. *Dodbridge* moved a resolution inquiring into the expediency of building a bridge over the Ohio river, at or near the town of Wheeling—adopted.

Mr. *Boulton* moved a resolution requiring the compensative cost of production of certain articles manufactured in the United States and foreign countries, &c.

Mr. *Drayton* introduced a resolution inquiring into the propriety of granting compensation to the claimants for French spoliation, &c.

Mr. *Blair*, of Tennessee, moved a resolution inquiring into the expediency of distributing the proceeds of the public lands, according to population, among the several states, for purposes of internal improvement, &c.

Various reports on private claims were made, and bills of a similar character taken up and disposed of.

Adjourned.

BANK OF THE UNITED STATES.

From the American Sentinel.

Wood Lawn, 5th Dec. 1831.

DEAR SIR—Your friendly letter on the subject of the bank of the United States, has been received by due course of mail. The opinion which I formed of the constitutionality and expediency of the bank of the United States when I was a member of the senate, was the result of a careful examination of the constitution of the United States, made without any preconceived opinions. That opinion is recorded in two speeches which I made in the senate in the year 1811. Since that time I have had no occasion of reviewing the question. My opinion remains unaltered. I was secretary of the treasury more than eight years, and during that time I had ample evidence of the great utility of the bank of the United States, in managing the fiscal concerns of the union. I am persuaded that no man, whatever his preconceived opinions may be, can preside over the treasury one year, without being deeply impressed with the expediency of the bank of the United States, in conducting the finances of the union. The provision in the constitution which gives congress the power to pass all laws which may be necessary and proper to carry into effect the enumerated powers, gives congress the right to pass the bank bill, unless a law most proper to carry into effect the power to collect and distribute revenue, should be excluded by that provision. The opponents of the constitutionality of the bank, place great stress upon the word necessary, contained in the grant of power, and insist that no law can be necessary but such, that without which the power could not be carried into effect. Now this construction appears to me to be indefensible. It does seem to me, that the words "necessary and proper" cannot exclude a law that is most proper to carry the power into effect—Yet the unconstitutionality of the bank can be pronounced only upon that construction. It does appear to me that the framers of the constitution never could have intended to exclude the passage of a law most proper to carry a power into effect, because it might be carried imperfectly into effect by another law. My construction of the grant of power to pass all laws which may be necessary to carry the enumerated powers into effect, includes the power to pass all laws which are necessary and proper to carry the enumerated powers into effect in the most perfect and complete manner, and not in an incomplete and imperfect manner.

I have not seen a complete development of the president's plan of a bank. It is possible that by his plan the transmission of the revenue may be effected, but the safety of the public deposits cannot be effected by the president's plan. The advantage of this security to the public is incalculable. It ought not to be relinquished, unless it can be satisfactorily proved that the bank of the United States is unconstitutional.

This I think cannot be satisfactorily shown. My speeches are recorded and can be re-published if necessary—They contain the result of the best in-

vestigation I was able to give the subject. I am persuaded I could not improve upon it now, if I had the means of investigating the subject, which I have not.

I am, sir, your friend, &c.

WM. H. CRAWFORD.

Charles Jared Ingersoll, esq.

NATIONAL REPUBLICAN CONVENTION.

Monday, Dec. 12. The national republican convention met in the city of Baltimore, this day at 12 o'clock.

Mr. *Peter R. Livingston*, of New York, rose after the members had taken their seats, and remarked that he should beg leave to name a gentleman, as a temporary chairman of the convention, preparatory to its more perfect organization, distinguished for his talents, and applauded for his integrity and principles, throughout a long life of public service. He then moved that general *Abner L. Locke*, of Pennsylvania, be appointed chairman *pro tem.* of the convention. The motion was unanimously adopted.

Mr. *James Harbair*, of Va. moved that *Thomas B. Rye*, be appointed secretary of the convention, which motion was adopted, *nem. con.*

Mr. *Livingston* then rose, and after a few remarks, respecting the delay of members on the way, occasioned by the inclement state of the weather, and the extensive prevalence of the existing epidemic, which prevented as full an attendance this day as was desirable, offered the following resolution:—

Resolved, That the delegations of the several states represented in this convention be requested to examine the credentials (or the evidence of appointment) of the members of their respective states, and report a list of their names to-morrow at 12 o'clock.

Mr. *Stone*, of New York, observed, that in order to afford every possible facility to the gentlemen of the press, he availed himself of the present early moment to offer the following resolution:—

Resolved, That the editors of the several newspapers published in this city, together with all others in attendance from abroad, with their reporters, be invited to take seats to be appropriated for their accommodation.

Mr. *Breck*, of Kentucky, moved to strike out the word "invited," and insert "permitted," and expressed a hope that the gentlemen offering the resolution, would assent to the modification.

Mr. *Stone* replied, that he would not consent to the motion. It was no compliment to the gentlemen of the press, merely to be *permitted* to enter the convention. And a precedent for the phraseology was to be found in the proceedings of the late tariff convention in New York, where the resolution upon this subject was offered in the old form of giving *permission* only, but was amended by substituting the word *invited*. Mr. *S.* said, that, being himself a representative, in part, of the public press, he had some feeling upon this subject, and he could not listen for a moment to the proposed amendment.

The resolution was withdrawn by Mr. *Breck*, and Mr. *Blunt*, of New York, thereupon suggested that the resolution had best be laid over until the convention should be completely organized.

A motion to lay it on the table was then made. Mr. *A. H. Everett*, of Boston, opposed this motion. If the doings of the convention were to be reported at all, the incident proceedings might be as interesting as those to follow.

This motion was therefore withdrawn, and the resolution unanimously adopted.

Mr. *Cumby*, of Kentucky, then moved that when the convention adjourns, it will adjourn to meet to-morrow at 12 o'clock; which was agreed to.

The convention then adjourned.

[There were between 130 and 140 members in attendance this day.]

Tuesday, Dec. 13. At 12 o'clock, the convention was called to order by A. Locke, esq. and the proceedings of yesterday having been read, the secretary called over the names of the delegates, according to the order of the several states, when it appeared that there were 156 members in attendance, and representing seventeen states and the District of Columbia, viz: Maine, New Hamp-

shire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Ohio, Kentucky, North Carolina, Indiana, Louisiana, and the District of Columbia.

Mr. *Holmes*, of Maine, reminded the convention that the organization of yesterday having been merely temporary, it would be necessary to make a permanent organization. He then moved the following resolution:

Resolved, That a committee of five be appointed to organize the meeting, by selecting a president, &c., and report what further proceedings they might deem necessary.

Which being read was adopted, when the chair appointed Messrs. *Holmes*, *Sergeant*, *Thomas*, *Dearborn*, and *Denny*, the said committee. The committee retired, and after a short time returned and reported that it was deemed expedient that the officers of the convention should consist of a president, four vice presidents, and two secretaries; and recommended the following gentlemen as the officers to fill those stations:

For president—James Barbour of Virginia.

For vice presidents—Allen Trimble of Ohio, Joseph Kent of Maryland, Peter B. Porter of New York, and Robert Temple of Vermont.

For secretaries—Joseph L. Tillinghast of Rhode Island, and Henry Bacon of Ohio.

The report having been agreed to,

Governor *Barbour* took the chair, and addressed the convention as follows:—

"Fellow citizens—I beg you to be assured that I most highly appreciate the distinguished and unexpected honor you have just conferred upon me. The approbation of such a body as this, under any circumstances, could not but be highly acceptable. To me, it is more precious, when I cast my eye over the assembly, even on many with whom it was my good fortune to be associated, in the public councils, in the better days of the republic. Every effort will be made, within the reach of my capacity, to justify this mark of your confidence. I may be permitted to add, that we have convened together for an object, always an important one, but now peculiarly so, from the times in which we are called to act. The auguries proclaimed at the commencement of our political career, that the burden of our experiment would be found in the executive branch of our government, are, I fear, in a rapid course of fulfilment. As yet, we may confide in the peaceful and sure remedy of republican recurrence to the people, a majority of whom I sincerely believe, would hail with joy, the redemption of the pledge so often given by the present incumbent of the chief magistracy, to retire to private life at the expiration of his present term of service. The union and co-operation of this majority is all that is necessary to enforce, whether voluntary or involuntary, the fulfilment of his promise. I am aware that large calculations are made on our divisions; but I will not believe that there is any individual whose ambition is so unchastened as to permit himself to be the instrument of fomenting these divisions, or that the people of the United States will become the dupes of their personal predilections or prejudices. I continue to repose confidence in their virtue and intelligence, and on that Providence who has so frequently manifested his protecting kindness to this people. It was here that the great scheme of human emancipation was first opened on an admiring world. It cannot be that it has been decreed summarily to pass away, "like the baseless fabric of a vision," leaving "not a wreck behind." Let us then, coming directly from the people, the great source of all authority, and animated by an exclusive regard to their interests, set an example of the harmony so essential to success, and indulge a hope that its influence will reach the extremities of the republic.

"My ardent prayer is, that your deliberations may be conducted in that spirit—that your decision may be made with wisdom, and that the result thereof, may be propitious to the best interests of our beloved country."

On motion of Mr. *Sergeant*, it was ordered that an invitation be sent to *Charles Carroll* of *Carrollton*, and Messrs. *Howard* and *Thomas*, to take seats within the bar of the convention.

Mr. *Holmes*, as chairman of the committee appointed on the subject of the officers and business of the conven-

tion, rose to make a further report, in the shape of a motion, which he was sure, would entirely satisfy the impatience and delight the hearts of all. He then moved—"that the convention do now proceed to nominate a candidate for the office of president of the United States, to be supported by those who are opposed to the re-election of *Andrew Jackson*."

The motion was agreed to.

On motion, the hon. *Jonathan Roberts* of *Pennsylvania* and governor *Spriegg* of *Maryland*, were invited to take seats within the bar of the convention.

In this stage of the proceedings, the chair laid before the convention the following letter from Mr. *Clay*.

Washington, 10th Dec. 1831.

MY DEAR SIR:

I was extremely glad to learn that you had accepted the appointment of a member of the Baltimore convention, which is to assemble next week, to nominate, for the consideration of the people of the United States, candidates for their president and vice-president; and that notwithstanding the extraordinary inclemency of the weather, you had proceeded to the city where the important trust is to be performed. It is to be sincerely hoped that the acknowledged patriotism and intelligence of that convention, aided by the purity of intention and practical good sense by which I have so often witnessed you to be guided in public affairs, may conduct your deliberations to results satisfactory to the community. I must have been entirely regardless of passing events, if I had not observed that my name has been repeatedly mentioned as being likely to be brought before the convention, and that, in some instances, delegates have been instructed by their constituents to yield support to it, as a candidate for the presidency. This restriction, or any restriction upon the perfect freedom of deliberation and decision of the convention, is inexpedient. It would have had a more happy constitution if it had embodied the will of all who are desirous of rescuing the executive government of the union from the misrule which threatens to subvert established institutions and systems of policy, long and deservedly cherished, and to bring disgrace and ruin upon the country. So constituted, the convention could have made a comparative estimate of the many citizens of the United States who are competent to discharge the duties of chief magistrate, and selected from among them that one, who, possessing the requisite principles, would probably unite, to the greatest extent, the public confidence and the public support. For one, I anxiously wish that the convention, dismissing every feeling of previous attachment or predilection, will now make impartially such an estimate and selection; and should their choice fall upon any individual other than myself, it shall have, not only my hearty acquiescence and concurrence, but my cordial and zealous co-operation.

I have been very desirous to lay these sentiments before the convention, but it has appeared to me that I could not formally do it without incurring the imputation of presumptuousness or indelicacy. Will you then, my dear sir, with whom I have so often had the happiness to be associated in the public councils, consent to be the organ of making them known, if necessary, to the convention. Should my name not be presented to its consideration for the presidency, it will not be proper or necessary to make the communication; but if it should be, I confide the manner of doing it to your judgment and sense of propriety.

With fervent wishes for the prevalence of good feelings and harmony in the convention, I am cordially and constantly your friend,

H. CLAY.

JAMES BARBOUR, esq.

After the letter had been read, Mr. *Livingston*, of *New York*, rose, and, after some pertinent and eloquent remarks, nominated *Henry Clay*, which was received with loud and reiterated plaudits.

Mr. *Dearborn*, of *Massachusetts*, proposed that when the sense of the convention was taken on the nomination, that each member, as his name was called by the secretary, should rise and name the candidate to which he was most favorable. Mr. *Livingston* having accepted this amendment, it was agreed that the sense of the convention should be taken in that manner.

Accordingly, the secretary called over the names of the members, and each rising from his seat, avowed himself in favor of HENRY CLAY. Mr. F. H. Shuman, of North Carolina, (who was understood to say that his mind was not made up on the subject) was excused from nominating his candidate.

The chair announced that HENRY CLAY had been unanimously nominated by the convention as the most suitable person to be recommended to the people as a candidate for the office of president of the United States.

Here the plaudits were enthusiastically reiterated.

On motion of general Dearborn, it was ordered that a committee of seven members be appointed to prepare an address to the people, and the chair announced the following as the names of the committee, Messrs. A. H. Everett, of Massachusetts, Stenard, of Virginia, Dodd, of New Jersey, Hook, of Indiana, Johns, of Delaware, Cummins, of Maine, and Wilson, of New Hampshire.

On motion of Mr. Sergeant, of Penn. the president was requested to invite one or more of the clergymen of Baltimore to open the session of the convention with prayer.

Mr. Everett, of Mass. moved that the president and secretaries inform Mr. Clay of his nomination by the National Republican Convention, as a candidate for the office of president of the United States. This motion was withdrawn, and a resolution substituted, that a committee of one member from each state be appointed for that purpose. At the suggestion of the chair, the delegates from the several states appointed each their member of the committee, which consisted of the following gentlemen—Maine, Henry Warren; New Hampshire, Leonard Jarvis; Vermont, William Jarvis; Massachusetts, H. A. S. Dearborn; Connecticut, John A. Rockwell; Rhode Island, C. E. Robbins; New York, P. R. Livingston; New Jersey, Job S. Halsted; Pennsylvania, Thomas Burnside; D. Lawrence, E. I. Dupont; Maryland, William Price; Virginia, William Breckenridge; Ohio, John Stuart; Kentucky, Daniel Brock; North Carolina, F. H. Shuman; Indiana, John H. Neely; Louisiana, H. A. Billard; District of Columbia, R. S. Coze.

Some conversation having arisen relative to the wish of the convention as to the manner in which the communication should be made to Mr. Clay, the matter was left entirely to the discretion of the committee.

On motion of Mr. W. L. Stone, of New York, the convention adjourned until to-morrow at 12 o'clock.

[The committee of one delegate from each state, appointed to inform Mr. Clay of his nomination by the convention, remained after the adjournment, and resolved to address him a letter, to be delivered to him by a sub-committee of five of their body.—Accordingly the sub-committee started for Washington in the afternoon at four o'clock.]

Wednesday, Dec. 14. The convention met pursuant to adjournment this day at 12 o'clock.

Previously to entering on the business of the convention, the following prayer was delivered by the rev. Dr. Hyatt, who, under a resolution adopted on Tuesday, had been invited to attend.

Oh! eternal God, wonderful in counsel, mighty in power, and of majesty incomprehensible, who hast taken thee a nation from the midst of other nations, by temptations, by signs, and by war, and by a mighty hand, and by a stretched out arm, according to all that the Lord our God hath done for us in this land, we, thy people, worship before thee. Thine is the greatness, and the glory, and the victory; and thou art exalted as head above all, for all that is in the heaven, and in the earth is thine. Thou hast been graciously pleased to promise thy special presence wherever two or three shall assemble to call upon thy name. Mercifully regard, therefore, O Lord, our supplications this day, and bless us with all spiritual blessings in Christ Jesus. We acknowledge before thee with shame and sorrow the many offences which, as individuals, and as a people, we are guilty before thee. Remember them not, we beseech thee, O Lord, neither take thou vengeance of our sins; but spare us, good Lord, spare thy people whom thou hast redeemed, and be not angry with us forever. Create and make in us new and contrite hearts, that we, worthily

lamenting our sins, and acknowledging our wretchedness, may obtain of thee, the God of all mercy, perfect remission and forgiveness. And because through the weakness of our mortal nature we can do no good thing without thee, grant us the help of thy grace, that in keeping thy commandments we may please thee both in will and deed, through Jesus Christ our Lord.

O Lord, God of our salvation, who upholdest all things in the word of thy power, and who hast hitherto been exceeding gracious unto this our land, bestowing upon us many and precious privileges, delivering us from all our enemies, and granting to us singular prosperity, we desire to offer thee that sacrifice of praise which proceedeth not from feigned lips. Thou hast girded us with strength, and blessed the work of our hands, thou makest peace in our borders, and fillest us with the flour of wheat. Oh continue to us thy love and protection. Let uprightness and diligence, unity and brotherly kindness, moderation and sobriety, so flourish among us, that they may be the stability of our times, and make this nation a praise of the whole earth. Guide, sanctify, and save the president of the United States, and all subordinate magistrates, and officers thereof. Let the spirit of wisdom, and counsel, and the fear of God, rest upon all legislative bodies; and may all estates of men in thy holy church cheerfully and uniformly obey for conscience sake; that thy church may increase and flourish, and every member of the same in his vocation and ministry may serve thee devoutly and faithfully, through Jesus Christ our Saviour.

Most gracious God, we humbly beseech thee, as for the people of these United States in general, so especially for their senate, and representatives now in congress assembled, and also for this present convention; that thou wouldest be pleased to direct and prosper all their consultations, to the advancement of thy glory, the good of thy church, the safety, honor and welfare of thy people; that all things may be so ordered and settled by their endeavors upon the best and surest foundation; that peace and happiness, truth and justice, religion and piety may be established among us for all generations. These and all other necessities for them, for us, and thy whole church, we humbly beg in the name and mediation of Jesus Christ, our most blessed Lord and Saviour.

Our Father, who art in Heaven, &c.

The grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Ghost be with us all evermore. Amen.

The president having taken his seat and called to order, it was

Resolved, That gov. Cotes, the honorable Daniel Webster, of Massachusetts, and the hon. E. F. Chambers, of Maryland, of the senate of the U. S. be invited to take seats within the bar.

On motion of Mr. Holmes,

Resolved, That the names of such members as may have arrived since yesterday's session, be called that they may give their vote to the candidate whom they may prefer.

The following gentlemen answered to their names. Virginia—P. J. Cohen, A. B. Spooner, James Carr. Ohio—J. Morrow, E. Stone, R. A. Thruston, S. W. Davis.

Tennessee—Boyd McNairy.

North Carolina—John Hamilton.

New York—W. J. Bacon, J. H. Pierson.

The proceedings of Tuesday were then read.

Mr. Somerville, from the committee appointed to wait on the hon. Charles Carroll, of Carrollton, and to invite him to a seat in the convention, presented the following answer to the invitation:

Wednesday morning, Dec. 14, 1831.

Gentlemen—The severity of the weather, and the apprehensions of my family on that account, admonish me to be cautious in venturing abroad at this season. I must therefore claim the privilege of advanced age, and apologise for not accompanying you this morning to the Athenaeum according to the promise of yesterday.

I request, gentlemen, that you will have the goodness to convey my apology to the distinguished individuals by whom you were deputed, to propose to me so flattering a compliment, and to accept, on their behalf, and for

yourselves, an assurance of the regard and respect with which I am, gentlemen, respectfully, yours,

C. CARROLL, of Carrollton.

Mr. Dearborn, from the committee appointed to wait upon Mr. CLAY, and acquaint him with his unanimous nomination to this office of president of the United States, by the convention, laid before the meeting the following correspondence:

Baltimore, Dec. 13, 1831.

Hon. Henry Clay:

SIR,—The undersigned have been appointed a committee, by the convention of national republican delegates now assembled in this city, to announce that you were this day unanimously nominated as a candidate for the office of president of the United States.

Entertaining the most exalted opinion of your eminent talents, enlarged patriotism, and distinguished public services, we have the fullest confidence that you will receive the united, cordial, and zealous support of every friend to the constitution, the integrity of the union, all the great branches of national industry, and the prosperity of the general weal; and we pledge to you, in behalf of the convention, the assurance of an ardent determination to use all honorable means to insure your elevation to the chair of chief magistrate of this republic. With the highest consideration, we have the honor to be, sir, your most obedient servants,

PETER R. LIVINGSTON,	of New York.
HENRY WARREN,	Maine.
LEONARD JARVIS,	New Hampshire.
WILLIAM JARVIS,	Vermont.
HENRY A. S. DEARBORN,	Massachusetts.
CHRISTIAN E. ROBBINS,	Rhode Island.
JOHN A. ROCKWELL,	Connecticut.
JOB S. HALSTED,	New Jersey.
THOMAS BURNSIDE,	Pennsylvania.
E. I. DUPONT,	Delaware.
WILLIAM PRICE,	Maryland.
JAMES BRECKENRIDGE,	Virginia.
J. SLOANE,	Ohio.
DANIEL BRECK,	Kentucky.
FREDERICK H. SHUMAN,	N. Carolina.
JOHN J. NEELY,	Indiana.
H. A. BULLARD,	Louisiana.
RICHARD S. COXE,	D. Columbia.
	Committee.

Washington, 13th Dec. 1831.

Gentlemen—I have the honor to acknowledge the receipt of the note which, as a committee of the convention of national republican delegates now assembled in Baltimore, you addressed to me, stating that I had been this day unanimously nominated by the convention as a candidate for the office of president of the United States.

This manifestation of the confidence of a body so distinguished, is received, gentlemen, with lively sensibility and profound gratitude. Although I should have been glad if the convention had designated some citizen of the U. States more competent than myself to be the instrument of accomplishing the patriotic objects which they have in view, I do not feel myself at liberty to decline their nomination. With my respectful and cordial acknowledgments, you will be pleased to communicate to the convention my acceptance of their nomination, with the assurance that, whatever may be the event of it, our common country shall ever find me faithful to the union, and the constitution, to the principles of public liberty, and to those great measures of national policy which have made us a people, prosperous, respected, and powerful.

Accept, gentlemen, of my thanks for the friendly manner in which you have conveyed the act and sentiments of the convention. I am, with high respect, your obedient servant,

H. CLAY.

Messrs. P. R. Livingston, Henry Warren, Leonard Jarvis, Wm. Jarvis, H. A. S. Dearborn, C. E. Robbins, John A. Rockwell, Job T. Halsted, Tho. Burnside, E. I. Dupont, William Price, James Breckenridge, J. Sloane, Daniel Breck, F. H. Shuman, John J. Neely, H. A. Bullard and Richard S. Cox, &c. &c.

The letter was received with immense applause, both by the members of the convention, and a crowded audience.

On motion of Mr. Bradish, of New York,

Resolved, That this convention do now proceed to nominate a candidate of the national republican party to fill the office of vice president of the United States.

Mr. Boyd McNairy, of Tennessee, then nominated JOHN SERGEANT, of Pennsylvania, as a suitable candidate for that important station, remarking that Mr. S. was too well known to require any eulogy from him.

The nomination of Mr. Sergeant, was seconded by gen. Jones, of Washington, in a speech of considerable length.

On motion of Mr. William Halsted, of New Jersey, the same course was directed to be pursued in nominating for the vice presidency, as was done yesterday in nominating for president: whereupon,

The delegates were all called over by name, and each one rose as he was called, and signified his preference for JOHN SERGEANT, of Pennsylvania.

So, JOHN SERGEANT, of Pennsylvania, was nominated by the convention for vice president of the U. States, with the same unanimity which had already attended the nomination of HENRY CLAY for the presidency—160 persons this day answering to their names.

On motion of Mr. Marshall, of Virginia, a committee of five persons was ordered to be appointed by the chair, to inform Mr. SERGEANT of his nomination. The committee appointed consisted of Mr. Loeck, of Pennsylvania, Mr. Stunard, of Virginia, Mr. Jones, of the District of Columbia, Mr. Stone, of New York, and Mr. Morrow, of Ohio.

Mr. Burke moved for the appointment of a committee to ascertain what would be the probable expenses incurred by the convention, and to make provision for paying them. Upon which,

Mr. John B. Morris, of Baltimore, rose, and stated, that so far as the place of meeting and other accommodations of the convention were concerned, no provision was necessary, the citizens of Baltimore having, so far as in their power, made all the necessary arrangements for reimbursing expenses.

On motion of Mr. Livingston, it was

Resolved, That the thanks of the convention be presented to those gentlemen who had prepared the accommodations, and for the very hospitable manner in which they had been treated, and that the president be the organ of the common action.

Mr. Everett stated that he thought the resolution just adopted did not supersede the necessity of a committee, as certain expenses, such as printing, &c. were not taken into view. He therefore moved that a committee be appointed, which motion was adopted.

The following gentlemen were named members of the committee:

Messrs. Burke, Somerville, Talliaferro, James, and Combs.

On motion of Mr. Livingston, it was

Resolved, That a committee of one member from each state, and one from the District of Columbia, be appointed to wait upon the hon. Charles Carroll, of Carrollton, the surviving patriot who signed the Declaration of Independence, to know at what time and place it would be agreeable to him to receive the members of the national republican convention, who wish to tender to him their best feelings and high sense of gratitude for his patriotic services.

The delegations of the respective states having consulted together, the following gentlemen were named as members.

Messrs. Muesey, of Maine; Wm. A. Kent of New Hampshire; A. H. Everett, of Massachusetts; N. F. Hickson, of Rhode Island; Joseph Trumbull, of Connecticut; W. A. Griswold, of Vermont; A. R. Lawrence, of New York; Wm. Halsted, of New Jersey; Josiah Randall, of Pennsylvania; Wm. W. Morris, of Maryland; Robert Stunard, of Virginia; R. H. Alexander, of North Carolina; L. White, of Kentucky; Boyd McNairy, of Tennessee; Jeremiah Morrow, of Ohio; H. A. Bullard, of Louisiana; J. J. Neely, of Indiana; Walter Jones, of District of Columbia.

Mr. Combs, of Ky. stated that he had just received a letter from two of his colleagues, Messrs. Johnson and

Morehead, now on their way, and who would probably be here this evening, who had been reluctantly detained by the inclemency of the weather. His chief reason for mentioning the circumstance, however, was that they both assured him they were decidedly in favor of the nomination of *HENRY CLAY*, for the presidency.

On motion of *Mr. Randall*, of Pa. it was ordered that when the convention adjourn this day, it will adjourn to meet to-morrow, at 10 o'clock.

The convention then adjourned.

Thursday, Dec. 15. The convention met this day pursuant to adjournment, and the throne of grace was addressed by the rev. *Mr. Nevins*, of the presbyterian church.

The president having taken the chair, and called the convention to order, the proceedings of yesterday were read.

The following additional delegates appeared to-day, viz: from Kentucky, *Francis Johnson*, and *James T. Morehead*, who severally reconsidered their votes in favor of the nomination of *Henry Clay* and *John Sergeant*.

On motion of *Mr. Fairfax*, of Va. the following resolution was agreed to:

Resolved, That a central state corresponding committee be provisionally appointed in each state where none are now appointed. And that it be recommended to the several states to organize subordinate corresponding committees in each county and town, in their several respective states.

Mr. Blunt, of New York, submitted the following resolution, which was agreed to:

Resolved, That it be recommended to the young men of the national republican party to hold a convention in the city of Washington, on the first Monday of May next.

In offering this resolution, *Mr. Blunt* stated that the young men of the national republican party hail it in contemplation to assemble in convention at Washington, and he thought it right that their proposition should receive the countenance of this convention. With that view he submitted the resolution.

It was proposed that a convention of delegates appointed by the mechanics of the national republican party, to meet at Washington in May next, should be recommended, but on its being suggested that the present convention was, in fact, composed of delegates from the mechanics, as well as other classes of the party, and that, therefore, there existed no necessity for such a convention, the motion was withdrawn.

Governor *Morrow*, of Ohio, from the committee yesterday appointed to wait upon *Mr. Carroll*, reported that they had performed the duty assigned them, and that *Mr. Carroll* would be happy to receive the members of the convention at his house, this day, at 4 o'clock.

The president having intimated a wish to know whether it was the intention of the convention to proceed in a body to the residence of *Mr. Carroll*,

Mr. Dearborn, of Massachusetts, moved the following resolution, which was unanimously adopted:

Resolved, That the members of the convention will meet at the saloon of the Athenaeum, this afternoon, at a quarter before 4 o'clock, and proceed thence in a body to the residence of the venerated *Mr. Carroll*, to pay him their respects.

Mr. Lacock, from the committee yesterday appointed to wait upon *John Sergeant*, of Pennsylvania, and inform him that he had been unanimously nominated to the office of vice-president, by this convention, presented the following correspondence; which was read.

BALTIMORE, Dec. 14, 1831.

Hon. JOHN SERGEANT.

SIR: The undersigned, a committee appointed by the national republican convention for the purpose, inform you that you have this day been unanimously nominated by the said convention as a candidate for the office of vice president of the United States.

It gives them much pleasure to make this communication, having the strong assurances, from a view of your political character and conduct, heretofore, that, if elected, you will be found an able and efficient auxiliary to the enlightened statesman recently nominated for the office of president; and that you will cheerfully co-operate with him in maintaining the supremacy of the laws

and constitution of the United States, and defending the primary and important interests of the people. Under these impressions, the committee are extremely solicitous that you should accept the nomination thus unanimously and spontaneously tendered you by the convention; in which event, the committee are warranted in pledging you the hearty and zealous support, not only of their colleagues and themselves, but of the great constitutional party of the United States, by whom they have been delegated by this convention.

Accept, sir, the assurances of our respectful consideration.

A. LACOCK,
WM. L. STONE,
JEREMIAH MORROW
ROBERT STANARD,
WALTER JONES.

Baltimore, December 14, 1831.

Gentlemen—I have received your note of this date, informing me that the national republican convention, now sitting in this city, have unanimously nominated me as a candidate for the office of vice president of the United States.

The nomination by a body so enlightened and patriotic, for one of the highest trusts of the republic, is felt to be a very great honor, and is appreciated accordingly. It is the more gratifying, as it associates me in their estimation and support with that distinguished citizen, whose public life and character, marked by undeviating devotion to the best interests of our country, and a spirit as generous as it is elevated, are a sure pledge that an administration under his guidance would be comprehensive and national, aiming unceasingly to preserve the union, to maintain the supremacy of the constitution and laws, to keep unbroken the public faith and honor, and to regard, with becoming indulgence and respect, the honest differences of opinion among our fellow citizens, which our republican institutions permit and invite. To co-operate with him, to the extent of whatever means I possess, in thus promoting the welfare and happiness of the nation, and rescuing the freedom of opinion and conduct from unconstitutional oppression, would be no less my pleasure than my duty.

Be pleased, gentlemen, to make known to the convention my acceptance of their nomination, and with it, to express to them the unaffected sensibility with which I have received this distinguished proof of their confidence.

I beg you to accept my thanks for the kind and flattering terms of your communication and to be assured of the high respect of, gentlemen, your most obedient servant,

JOHN SERGEANT.

Messrs. *Abner Lacock*, &c. &c.

The acceptance of the nomination by *Mr. Sergeant*, was hailed with enthusiasm, and drew forth three very distinct rounds of applause.

On motion of *Mr. Hulsted*, of New Jersey, it was unanimously

Resolved, That the thanks of the national republican convention be tendered to *Luke Terner*, *Hezekiah Niles*, *Nathaniel F. Williams*, *William H. Freeman*, *Charles F. Mayer*, *Joshua Medart*, and *James Harwood*, members of the national republican committee, and to *John B. Morris*, *Henry V. Somerville*, *N. F. Williams* and *James Harwood*, the committee of arrangement on the part of the numerous citizens of Baltimore, for the extensive accommodations they have provided for its sittings, and the attentions and courtesies they have extended to its members, and the facilities they have afforded to the objects of the convention.

[In submitting the foregoing resolve, *Mr. H.* said, that in adopting the resolution of yesterday the tender of thanks was too general and indefinite. The names of the national republican committee of Baltimore were now known, and it was due to them, and every member of this convention, he was confident, would be proud of the opportunity, to tender the thanks of this body to those very respectable gentlemen who had spontaneously come forward and provided for the accommodation of the convention.]

Mr. Livingston, of New York, stated he was requested by the committee appointed to draft the address, to

say that they would require a little more time for that purpose. He therefore moved that a recess be taken until one o'clock, P. M. which was carried, and the convention adjourned until that hour.

One o'clock, P. M.—The convention having assembled, a letter was read from Mr. Samuel Parnell, of Virginia, regretting the necessity of his absence, and hoping that Henry Clay would be nominated by the convention as the candidate for the presidency. The letter enclosed ten dollars to be appropriated to the incidental expenses of the convention. The letter was ordered to be recorded on the minutes of the proceedings.

After having agreed to assemble at four o'clock this afternoon, to pay their respects in a body to Charles Carroll of Carrollton, the convention adjourned until 12 o'clock on Friday.

At 4 o'clock in the afternoon of Thursday, the convention again assembled, when a procession was formed at the saloon of the Athenæum, headed by the president and other officers, the delegates being arranged in the geographical order of the states which they represent, which proceeded to the mansion of the venerable CHARLES CARROLL, where each delegate was introduced to that distinguished patriot, who stood to receive them.

After the introduction was over, the president of the convention, James Harbourn, of Virginia, advanced and tendered to Mr. Carroll the "homage of the national republican convention." He made a very handsome allusion to the patriotism of Mr. Carroll in the days of the revolution, spoke of the veneration in which his name was held by a grateful people, as the last survivor of that illustrious band of patriots who had signed the charter of our liberties; and said that our infants were taught to hush his name, as one of the benefactors of the republic. He concluded by observing that the prayers of the free citizens of this highly favored land were daily offered to heaven in hearty supplication that that life might be long preserved which had been freely devoted to the sacred cause of liberty in the days of trial.

After partaking of some slight refreshment, which had been plentifully prepared at the hospitable mansion of the revolutionary worthy, the delegates severally withdrew to their respective places of abode.

Mr. Carroll appeared to be pleased with the attention shown him, and conversed with several of the delegates for some time. When asked of his health, he replied, "I enjoy very good health." The epidemic which so generally prevails has affected the family of Mr. Carroll, as well as others; but that venerable individual has entirely escaped.

Friday, Dec. 16. The convention assembled this day at 12 o'clock; when the rev. Mr. Finley, of the Baptist church, delivered a very appropriate prayer.

The record of yesterday's proceedings was read.

Mr. Everett, from the committee appointed to prepare an address to the people of the United States, on the subject of the election of a president and vice president of the United States, reported a draft as agreed upon by the committee; which was read, and unanimously adopted.

On motion of Mr. Coxe, of Washington.

Resolved, That ten thousand copies of the proceedings of the convention, and of the address just adopted, be printed, under the direction of a committee to be appointed by the chair.

On motion of Mr. Rockwell, of Connecticut,

Resolved, That it be recommended to the delegates from the several states to promote among their constituents a zealous support of the principles of the national republican party, and of the candidates nominated by this convention.

Mr. Morrow, of Ohio, said the duty had been assigned to him of offering to the convention a resolution tendering a vote of thanks to the officers which had been appointed to preside over its deliberations. That duty was the more gratifying to him, as he had had the pleasure to associate with those individuals in other times—in times when the dark cloud of war lowered over the land, and when it became the duty of every patriot to stand forward for his country's safety and honor. The country was now at peace with all the world—yet, he had again been permitted to take counsel with those same individuals, at a moment of great interest, and

when the talents and moral powers of every friend to the nation were required to be exerted for the security of its best interests. He would not take up more of the time of the meeting, but submit for its adoption the following resolution:

Resolved, That the thanks of this convention be presented to James Harbourn, the president; and Allen Trimble, Joseph Kent, Peter B. Porter, and Robert Temple, vice presidents, of this convention, for the able and dignified manner in which they have presided over its deliberations.

The resolution was unanimously agreed to.

On motion of Mr. Dearborn, it was

Resolved, unanimously, That the thanks of this convention be presented to Joseph L. Tillinghast and Henry Bacon, for the diligent and attentive manner in which they have discharged their duties as secretaries.

On motion of Mr. Bradah, it was

Resolved, That the thanks of this convention be presented to Abner Lacock, the chairman, and to Thomas P. Ray, the secretary, who officiated on the temporary organization of the convention.

Mr. Harbourn then rose, and addressed the convention, in behalf of himself and his colleagues, for about twenty minutes, in a most able and eloquent manner, during which he was repeatedly interrupted by the cheers of the assembly.

On motion, it was

Resolved, That the committee this day appointed to superintend the printing of the address, be directed to have also printed and subjoined at the end thereof, the names of the members of the convention, and their respective places of residence.

On motion,

Resolved, That the thanks of this convention be presented to those clergymen of the city of Baltimore who have so kindly officiated at its several meetings.

On motion,

Resolved, That the president be requested to furnish for publication a copy of the address this day delivered by him, and that it be appended to the proceedings of this convention.

The convention then adjourned, *sine die*.

LIST OF THE MEMBERS OF THE CONVENTION.

Maine. Nathan Cummings, of Portland; George Evans, Gardiner; John Holmes, Alfred; Charles Mussey, Portland; Henry Warren, Paines.

New Hampshire. Charles Barrett, New Ipswich; Leonard Jarvis, Claremont; William A. Kent, Concord; John B. H. Osborne, Dover; James Wilson, Jr. Keene.

Massachusetts. Gideon Barstow, Salem; Ira Barton, Oxford; Henry A. S. Dearborn, Roxbury; Alexander H. Everett, Boston; Russell Freeman, New Bedford; John Lowell, Jr. Boston; Ebenezer Mosely, Newburyport; Gershom B. Weston, Duxbury; Samuel Snelling, Boston.

Rhode Island. Joseph L. Tillinghast, Providence; John B. Francis, Warwick; Nathan F. Dixon, Westerly; Chas. E. Robbins, Newport.

Connecticut. Daniel B. Brinsmade, Washington; Dennis Kimberly, New Haven; John McClellan, Woodstock; John A. Rockwell, Norwich; Joseph Trumbull, Hartford.

Vermont. Dan. Carpenter, Waterbury; Wm. A. Griswold, Burlington; Thomas D. Hammond, Orwell; Wm. Jarvis, Weathersfield; Robert Temple, Rutland; Phineas White, Putney.

New York. Luther Bidish, Moina, Franklin co.; Joseph Blunt, city of New York; John G. Camp, Buffalo; H. B. Cowles, Carmel, Putnam co.; Hiram Ketchum, city of New York; Peter R. Livingston, Rhinebeck, Dutchess co.; Chas. Ludlow, Newburg, Orange co.; Abraham R. Lawrence, city of New York; Hugh Maxwell, do; Fr. derick Mason, Norway, Herkimer co.; Peter B. Porter, Black Rock, Wm. L. Stone, city of New York; Z. Barton Stout, Richmond Hill, Ontario co.; Richard R. Ward, city of New York; Henry G. Whiston, Albany; William J. Bacon, Utica; Jeremiah H. Pierson, Ramapo.

New Jersey. Amzi Dodd, Newark; Samuel S. Doty, Baskingridge; Job S. Halsted, Newton, Sussex co.; William Halsted, Trenton; Benj. P. Lippincott, Swedes-

borough; Henry D. Polhemus, Freehold; Peter M. Ryerson, Pompton, Bergen co.; James F. Randolph, New Brunswick.

Pennsylvania. Samuel Alexander, Carlisle; John B. Butler, Pittsburg; Robert Burke, do; Thomas Burnside, Bellefont; Thomas B. Coleman, Lebanon; Joseph G. Clarkson, Philadelphia; James Connon, Chambersburg; Wm. H. Dillingham, West Chester; William Darling, Reading; Nathl. Ewing, Union Town; Washington Hopkins, Lancaster; Thos. M. Jolly, Norristown; Abner Lveock, Beaver; do; Sharp D. Lewis, Wilkesbarre; William Lyon, Sedro; Peter S. Michler, Easton; Calvin Mason, York; Thomas McGiffin, Washington; W. A. V. Magaw, Meadville; Josiah Randall, Philadelphia; John Sergeant, do; Richard Penn Smith, do; Anthony Taylor, Bristol.

Delaware. E. I. Dupont, of Wilmington; Kinsey Johns, jr. Newcastle; Richard Mansfield, Middletown; William W. Morris, Dover; William D. Waples, Millsborough.

Maryland. Solomon Dickinson, Easton; Joseph Kent, Bladensburg; John B. Morris, Baltimore; Joseph I. Merrick, Hagerstown; William Price, do; James Sewell, Elkton; H. V. Somerville, Baltimore co.; James Thomas, Chaptin; John Tighman, Centreville; William Willis, Westminster, Frederick co.

Virginia. Richard Adams, Richmond; Robert Anderson, Williamsburg; James Barbour, Barboursville; Richard W. Barton, Winchester; David Briggs, Richmond; James Breckenridge, Fincastle; Robert B. Corbin, White Chimneys, Caroline co.; Wm. B. Caldwell, White Sulphur Springs; John B. Clopton, Richmond; Saml. H. Davis, Winchester; Henry Fairfax, Fairfax court house; Charles Hill, King and Queen court house; Joshua M. Harrell, Suffolk; John Marshall, jr. Oak Hill, Fauquier co.; Philip C. Peadleton, Martinsburg; Culbert Powell, Upperville, Loudon co.; Thomas P. Ray, Morgantown; Robert Stanard, Richmond; John Talcroft, Fredericksburg; Thomas Turner, The Plains, Fauquier co.; Henry S. Turner, Charlestown, Jefferson co.; Edward T. Tayloe, King George court house; William Woods, Charlottesville; P. I. Cohen, Norfolk; A. B. Spooner, Petersburg, Dinwiddie; James Carr, Deep Creek, Norfolk co.

North Carolina. Richard H. Alexander, Salisbury, Rowan co.; Frederick H. Shuman, Salem, Stokes co.; John Hamilton, Concord, Cabarras co.

Kentucky. Daniel Breeck, Richmond; Charles Buford, Georgetown, Leslie Combs, Lexington; James W. Denny, Frankfort; Thompson M. Ewing, Elkton; Jas. Harlan, Danville; James Hughes, Louisville; John Jennings, Lancaster; Martin P. Marshall, Flemingsburgh; Wm. T. Willis, Greensburg; Geo. W. Williams, Paris; Lee White, Louisville; Francis Johnson, do; James T. Morehead, Bowling Green.

Tennessee. Boyd McNairy, Nashville.

Ohio. Philemon Beecher, Fairfield; Henry Bacon, Dayton, Montgomery co.; Jas. M. Bell, Cambridge, Guernsey co.; Hez. Bassell, Wooster, Wayne co.; Thomas Flanner, Zanesville, Muskingum co.; Edw. Hamilton, Portsmouth, Scioto co.; John H. James, Urbana, Champaign; Jos. H. Ijams, Rushville, Fairfield co.; Leicester King, Warren, Trumbull co.; George Renick, Chillicothe, Ross co.; Allen Trimble, Hillsborough, Highland; George Reeves, jr. Zanesville; John Sloan, Wooster, Wayne co.; James Williams, Norwalk, Huron co.; Jeremiah Morrow, 20 miles stand P. O. Warren co.; Ethan Stone, Cincinnati, Hamilton co.; R. Bert A. Thruston, Dayton, Montgomery co.; Samuel W. Davies, Cincinnati, Hamilton co.

Louisiana. Henry A. Bullard, Alexandria, (M. C.); Josiah S. Johnson, do. do.

Indiana. John J. Neely, Princeton; Isaac Howk, Charlestown.

District of Columbia. Richard S. Coxe, city of Washington; Wm. L. Hodgson, Alexandria; Walter Jones, city of Washington; Wm. S. Nichols, Georgetown; Edgar Snowden, Alexandria.

ADDRESS OF THE NATIONAL REPUBLICAN CONVENTION.
To the people of the United States.

FELLOW CITIZENS:—The period will soon arrive when you will be called upon to exercise a right, which, of all

independent nations of considerable power on the globe, you alone possess—that of electing, by your own free choice, and from among yourselves, the person who is to be entrusted with the high functions of your chief executive magistrate. It is sometimes said that it is of little importance what individual is clothed with that character: that a president of the United States has no great personal influence either for good or evil, and that, in the present prosperous condition of the country the public affairs would be transacted just about as well under one president as another. Such opinions can only be entertained by persons who have reflected very little on the theory or the practical operation of our government. The whole course of the public affairs depends, in a very considerable degree, upon the direction which is given to the influence belonging to the office of president. It is no doubt true that the political machine may continue to move on a while with apparent success under very unskillful direction by the effect of a favorable impulse received at other times; but it is obvious, that if such a state of things continues long, the favorable impulse will be lost, and the principle of prosperity destroyed, perhaps forever. It is generally acknowledged that the pure and lofty character of Washington contributed more than any other cause to carry our institutions into successful operation, and that the eminent virtues and acknowledged talents of his successors in the presidency, have aided very powerfully in sustaining and perfecting the work which he began. It is equally apparent, that if the chief magistracy should ever be committed for any great length of time to persons of an opposite character, the condition of the country must undergo, in one way or another, a disastrous, perhaps a fatal revolution.

Such being the importance of the right which you will soon be called upon to exercise, you owe it to yourselves, to your children, to your country, to the cause of humanity, which is so deeply involved in the issue of the political experiment that is now making among us, to exercise it with full and mature deliberation—without any bias from party feeling or mere personal advantage, and with a single view to the public good. You owe this, not only to the interest, but to the honor of the nation. It is important to the preservation of the fair fame which we have already acquired throughout the world, that the seat of Washington, and his successors, should be worthy fillets: that persons should be chosen to succeed these illustrious men, who shall be able, like them, to do honor, by their manner of discharging its duties, even to the high office of president of the United States: that the personal conduct of the head of the executive department should be marked, as it always was in former days, with dignity, judgment, good temper, discretion, and moderation; that the youth of our government should not be sullied by the foul stains of immorality that disfigure the antiquated and corrupt institutions of other countries, and that our citizens and the world at large should be able to look up to the high places of this union for examples of public and private virtue.

Under these impressions of the importance of the crisis, a numerous portion of our fellow-citizens residing in all parts of the country, and who have acted together in political affairs for some years past, under the name of NATIONAL REPUBLICANS, have directed us to meet together and deliberate upon the course which they ought to pursue, and the persons whom they ought to support for the great offices of the government at the approaching election. In preparing to exercise this delicate trust, we have been naturally led to take a careful and deliberate survey of the political condition of the country, and of the manner in which the public affairs have been conducted by the present administration. This survey has resulted in a full conviction that the public good imperiously requires a change; and in proposing to you as candidates for the presidency and vice presidency the distinguished citizens whose names accompany this address, we have deemed it our duty to lay before you a concise statement of the principle circumstances which have led us to this conclusion.

No president ever entered on the duties of his office under circumstances more favorable to a successful dis-

charge of them than the present incumbent. The country, thanks to Providence and to the ability and good fortune with which the public affairs had been carried on by preceding administrations, was in a high state of prosperity.—All the public establishments, and all the great branches of private industry were in the most flourishing condition. Agriculture was rapidly extending itself in all directions, and particularly through the wide and fertile regions of the west—manufactures were advancing with unprecedented rapidity—commerce, internal and foreign, was animated with a corresponding vigor—our relations with foreign powers were of the most amicable character—at home, tranquility and general contentment pervaded every corner of the union—the parties that formerly divided the citizens and distracted the country, had in a great measure become extinct under the operation of time—the growing prosperity of the nation, and the judicious and liberal conduct of the government. In the pride and pleasure which we all felt in claiming the character of citizens of the United States, we were ready to forget that our fathers had been classed as republicans and federalists. The name of AMERICAN had, by a sort of common consent taken the place of all other political distinctions. AMERICAN PRINCIPLES had become the common creed of the high minded and patriotic adherents of all the former parties. In a word, the best friends of the country had little more to wish or hope, in regard to our political situation, than that we might proceed in the course which we were then pursuing, and remain, in every thing belonging to character and principles of government, substantial as we were.

This state of things, afforded, of course, the best evidence that could possibly be had in favor of the administration under which it had grown up. Much of it could be traced directly to the character and opinions of the leading members of that administration. It was, however, under these circumstances, that a vigorous, and, as has been shown by the issue, successful effort was made to effect a change, and to place in the chair of the chief magistracy the present incumbent. Of the comparative qualifications of the president and his predecessor, for the high station which they have successively filled, we will not here speak. We cheerfully resign a task so ungrateful in one of its divisions, to the impartial and unshrinking hand of history. Nor will we here enlarge on the means by which the change in question was accomplished—the reckless and persevering calumny, which was constantly poured forth from hundreds of presses, on the best and the purest men in the nation,—the false pretensions to exclusive republicanism—the factious clamor which was kept up in congress—the artful combination of conflicting personal and party interests for a common object, and the various other unworthy arts, that were brought into action on this occasion.—Suffice it to remark, that the change was effected—in form, at least—in a legal and constitutional way; and, however, justly offensive the circumstances that brought it about, might and must have been to the friends of the last administration, however deficient the present incumbent might have been supposed to be in the qualities most requisite for the station to which he had been raised, it is believed that when he entered on his office, there was no disposition in any portion of the people to commence a premature or factious opposition to his measures.—It was alarming enough to prudent and well meaning men, that the government of the country had fallen into such hands, and far from attempting to perplex or embarrass the administration, they would rather have lent all the aid in their power to carry the country safely through so dangerous a crisis.—On the other hand, the military successes of the president had gained him an extensive personal popularity, which would have enabled him, had he known how to turn it to account, to carry on the government with extraordinary facility. Under this combination of circumstances, it is believed, that had the public affairs been managed with tolerable prudence and discretion, general Jackson might have gone through his term of official life without a show of opposition, and have been re-elected, had he been so inconsistent as to desire it, by a very unanimous vote.

Nor were the friends of the country without strong hopes that such a result would follow. Deficient as the

president was known to be in the qualities and accomplishments most essential to a civil magistrate, it was yet anticipated that he might be found to possess the courtesy, the generous feelings, the high sense of decorum and propriety which form the appropriate ornaments of the military character, and would have secured him from any other offence against the dignity of his office. After the letter to the venerable patriot Monroe, in which he had so emphatically recommended the oblation of the old party distinctions, it was confidently expected that nothing would be done by himself that should tend to revive them. He had given, on several public occasions, opinions on points of administration which—however at the time incorrectly applied—would have served excellently well as guides for his own conduct in office; and it was perhaps not unreasonable to hope that his actions would correspond, in some imperfect degree at least, with his previous professions. Had this been the case, his administration would have given complete satisfaction to the country. Whether its complete and acknowledged failure has been owing to defects in his own character, or to the influence of evil counsels on his mind and measures, is a point which it is unnecessary, and would be ungrateful, to discuss. We should regret to visit with too severe censure the last days of one who, in another line of duty, has done the state much service, and whom nothing but the impudence of injudicious friends, or rather the efforts of political partisans, who found it convenient to make use of his name and popularity for their own selfish purposes, has prevented from going down to posterity with a high military reputation, and filling an honorable place in our history. We are rather willing to believe that, placed in a situation for which he was by education and character wholly unfit, worn out by toils, infirmities, and the natural progress of age, he acted under influences which, morally speaking, he could not well control. However this may be, it is certain that the expectations and hopes which some persons may have been disposed to indulge of the success of his administration, have been signally disappointed, and that his failure has been more complete than even his enemies could have possibly anticipated. The political history of the union for the last three years exhibits a series of measures plainly dictated in all their principal features by blind cupidity or vindictive party spirit, marked throughout by a disregard for good policy, justice, and every high and generous sentiment, and terminating in a dissolution of the cabinet under circumstances more scandalous than any of the kind to be met with in the annals of the civilized world. The voluntary dissolution of the cabinet authorizes the remark which we have made above, that the failure of the administration of gen. Jackson was not only signal and complete, but *acknowledged*; and it is remarkable that, after this public acknowledgment of his incapacity to execute the duties of his office, through agents appointed by himself, even to his own satisfaction, he should deem it expedient to offer his services to the nation for a second term.

The first official act of the president indicated, in a striking and painful manner, in how small a degree any favorable anticipations, that might have been formed of his conduct were likely to be realized. We allude to his inaugural address to the people, in which he levelled against the administration of his predecessor a sweeping charge of incapacity and corruption. A charge of incapacity to conduct the civil affairs of the country preferred by Andrew Jackson against such men as Mr. Adams, Mr. Clay, and their distinguished colleagues in office, was of course merely ludicrous; but the imputation of corruption was of a more serious character. Had there been the least foundation for it in fact, it is obvious that the last person who ought to have made it his business to denounce it to the public was the president of the U. States, who has no other constitutional agency in regard to such offences but the power of pardon. The indecorum of this denunciation was hardly less glaring than its essential injustice, and can only be paralleled by that of the subsequent denunciation of the same administration, on the same authority, to a foreign government.

This proceeding awakened in the mind of every good citizen very painful forebodings as to the consequences which were to follow upon such a commencement.

These forebodings were too soon realized. The next act of the administration was a general removal of such of the public agents as were not recommended by attachment to the person or party of the president. The extent to which this system was carried is strikingly evinced by the fact, that within a month after the inauguration of gen. Jackson, more persons were removed from office than during the whole forty years that had elapsed since the adoption of the constitution. The motive which led to this policy is illustrated by the fact, that it was applied principally in states where the majority of the people were opposed to the administration, while in the others there were comparatively few removals. Such was the practical comment on the text of the inaugural address which denounced the preceding administration as having brought the patronage of the government into conflict with the purity of elections. The foreign ministers were abruptly recalled at large expense to the country, in some instances before they had reached their destination, and in all, without the observation of the common forms of civility towards them, or the governments near which they were accredited. Among the victims of proscription at home were some of the most respectable and interesting persons in the community—veterans who, after fighting the battles of the war of independence, had been placed by the justice of the government in the offices they held, and were now rudely thrust out of them to endure, at an advanced age, the miseries of actual want, as a reward for the devotion of their whole lives to the public service. This was not all. This universal proscription, taken in connection with the tenor of the inaugural address, amounted to a charge of universal corruption. Common justice required that the individuals against whom such a charge was brought should have opportunity to defend themselves. None was given. No enquiry was ordered. No specifications were made. No examination was had. When a public servant of unblemished character, now a member of congress, demanded of the late secretary of state an explanation of this implied charge of corruption, under which he had been removed from his place as a clerk in the department of state, he was coolly informed that no harm was meant, and that no explanation would be given. Even this was not the worst. Attempts were made in more than one instance, under pretext of a stricter control of the public accounts, to deprive these victims of persecution of the scanty remnant of their means of subsistence. A public servant of most respectable character and venerable years, was not only removed and thrown upon the world, at the age of more than eighty, but actually had his furniture seized, under a treasury warrant of distress, upon a false pretence of peculation, at a time when, as appears from a subsequent decree of the competent tribunal, the United States owed him more than twelve thousand dollars. Other cases occurred of a precisely similar character. Can there possibly be any thing behind more revolting than this? There is. In the case of the assistant post master general, there is too much reason to fear that there occurred in the post office department an actual alteration of the public accounts, for the purpose of fixing, upon that most meritorious public servant, the blame of some supposed malversation in office, which had really been committed by his successor. We cannot but hope, for the honor of the country, that some explanation will yet be given of this transaction, consistent with the probity of the individuals at the head of the post office.

The history of the administration of civilized governments presents no parallel to this scene. Many of the partisans of gen. Jackson have shrunk from the task of defending it and taken refuge in a bold denial of the fact. Public writers of some respectability did not scruple to affirm that there had been no removals on account of political opinions, as if—to use the indignant language of a Roman historian—they thought they could blot out the record of their slongs from the memory of the human race. After a while, the charge of corruption seems to have been abandoned, and in his first message to congress the president justified himself on the principle of *rotation in office*; affecting to suppose that the public would derive an advantage from employing new agents, as fast as the old ones acquired, by experience, the capacity for performing their duties with ability and success.

This doctrine, which, if applied to practice in private life, would be thought to argue a degree of imprudence, equivalent, in its effects, to insanity, and would immediately ruin the most prosperous establishments—was gravely announced as an acknowledged truth. It was affirmed that the natural effect of possessing an office was to create negligence and corruption in the person holding it; that the public lost more in this way than was gained by the additional experience and dexterity resulting from the same cause—that frequent changes in office were highly expedient—that all offices should be held for short terms, and, in particular, that the constitution ought to be so amended, that no person be eligible a second time for that of the president of the United States.

These principles, whether true or false, are irrelevant to the subject, because the removals from office by gen. Jackson were not made, either really or professedly, for the purpose of change or rotation, but, professedly, because the incumbents were incapable or corrupt, and really for the purpose of "rewarding his friends and punishing his enemies." No disposition has been shewn to apply this wholesome principle of rotation to the president's partisans, and the best illustration of the real meaning of the language used on this occasion, is to be found in a letter written from the president's house, under the president's frank, to a member of the Pennsylvania legislature, requesting him to use his influence to procure from that legislature a nomination of the president for re-election. The doctrine of rotation in office had, therefore, nothing to do with the matter. The motives assigned, in the first instance, by the president, viz: the incapacity and corruption of the incumbents, would have been sufficient had they been founded in fact; but it was felt that no removal for such reasons would be tolerated by the public, unless the supposed incapable or corrupt functionary was first put upon his trial, and allowed an opportunity of defending himself against the specific charges, whatever they might be, which has been preferred against him. It was therefore found necessary to abandon this ground, and for want of a better, resort was had by the president's counsellors to the stale sophistry of rotation in office.

On the appointments which were made to fill the numerous vacancies occasioned by these removals we shall not enlarge. Among them are to be found the names of some persons very honorably known to the public; but they were made, in general, almost avowedly for no consideration but that of party, and in many instances, with so little discretion that they were rejected, in one or two cases, almost unanimously, by the senate. An occurrence of this kind is, we believe, without a parallel at any previous period of our history, and would be sufficient of itself to throw discredit on the administration. Of the persons so rejected, some were recommended anew, under circumstances amounting to an attempt by the president to force them into office against the known opinion of his constitutional advisers. On this occasion was also exhibited a striking example of the inconsistency between his professions before his election, and his subsequent practice. Although he had himself signalized the appointment of members of congress to office as a great abuse, he selected four of the five heads of department from that body, and appointed its members to other places to an extent which had never been known before. Although he had inveighed with warmth against the supposed corruption of the public press under the preceding administration, and in his inaugural address had even denounced his predecessor for having brought the patronage of the government into conflict with the purity of elections, partisan editors were now among the most favored classes of pretenders to employment. Under these circumstances the first year of the present administration presented little else than an eager and tumultuous scramble for place. The offices which were instituted for the public service and ought to be conferred with a view to no other object, were apparently, and even avowedly, treated as prizes to be distributed among the conquerors in the struggle of parties. What have we been fighting for—was the language of some of the leading administration prints—if the public officers are not to be the spoils of victory?

Such were the auspices under which the present administration commenced their career. They were not of a kind to create very high expectations from the result of their labors. The subsequent progress of events has shown very clearly that the least favorable expectations that could possibly have been formed of their policy were yet too sanguine—that our most important institutions are now seriously threatened, and that a continuance in the course that we are pursuing, will probably plunge the country, at no distant period, into dangerous—perhaps irretrievable confusion.

In the conduct of the foreign affairs, there has been, however, an appearance of success, in consequence of the fact that several arrangements with foreign powers which had been matured, and in some instances concluded, under the preceding administration have been made public under this. Such was the case with the treaties with Austria, with Brazil, with Denmark, and with Turkey. In announcing the conclusion of these arrangements, a president of an elevated and generous disposition would have taken delight in doing complete justice to the merits of a political competitor. General Jackson took to himself, without scruple or ceremony, the whole credit of these negotiations, and on this and other occasions affectively avoided to mention the name of his predecessor. In the recent treaty with France the principle adopted by the last administration in the arrangements with Denmark were proposed as the basis of a compromise and in consequence of a favorable change in the internal policy of the former power, was assented to. The treaty with Great Britain, supposing it even, which may well be doubted, to have been the best arrangement which circumstances rendered practicable, was obtained by concessions derogatory to the honor of the country and the dignity of the government.

The administration have, in other respects, mistaken the leading principles in the true foreign policy of the country. With Russia, our most important, powerful, and useful political ally, our relations have been wholly neglected. At a critical moment in the political affairs of Europe, when our influence with the emperor of Russia might have been turned to the best account in favor of the cause of free government, when the breaking out of a general war may render his influence in Europe of the highest importance to ourselves, a distinguished citizen, who had for many years represented the country with extraordinary credit and success at St. Petersburg, and who was known to be personally agreeable to the imperial family, is abruptly recalled, and the affairs of the legation left in a wholly uncertain state.

On the great subjects of internal policy which have given rise to conflicting opinions and adverse feelings among the citizens, the course of the president has been so inconsistent and vacillating that it is impossible for any party to place confidence in his character, or to consider him as a true and effective friend. By avowing his approbation of a judicious tariff, and at the same time recommending to congress precisely the same policy which had been adopted as the best plan of attack by the opponents of that measure: by admitting the constitutionality and expediency of internal improvements of a national character, and at the same moment negating the most important bills of this description which were presented to him by congress, the president has shown that he is either a secret enemy of the system, or that he is willing to sacrifice the most important national objects in a vain attempt to conciliate the conflicting interests or rather adverse party feeling and opinions, of different sections of the country. How can the president be regarded at the north and west as the friend of the tariff and internal improvements, when his only recommendation at the south is the anticipation that he is the person through whose agency the whole system is to be prostrated? With a chief magistrate who acts upon so temporizing and uncertain a policy it is obviously impossible that any abatement can take place of the excitement that prevails upon these disturbing topics. It is only through the intervention of a statesman, in whose known sentiments and elevated character all parties can place confidence, that a hope can be entertained of so regulating these delicate subjects as to extend a fair and impartial protection to all the great branches of indus-

try, whether agricultural, commercial, manufacturing, or mechanical, without exciting the just apprehensions of any sincere and enlightened friend of the constitution and the union.

Next to the great measures of policy which protect and encourage domestic industry, the most important question, connected with the economical policy of the country, is that of the bank. This great and beneficial institution, by facilitating exchanges between different parts of the union, and maintaining a sound, ample, and healthy state of the currency, may be said to supply the body politic, economically viewed, with a continual stream of life-blood, without which it must inevitably languish, and sink into exhaustion. It was first conceived and organized by the powerful mind of Hamilton. After having been temporarily shaken by the honest though groundless scruples of other statesmen, it has been recalled to existence by the general consent of all parties, and with the universal approbation of the people. Under the ablest and most faithful management it has been for many years past pursuing a course of steady and constantly increasing influence. Such is the institution which the president has gone out of his way in several successive messages, without a pretence of necessity or plausible motive, in the first instance six years before his suggestion could with any propriety be acted upon, to denounce to congress as a sort of nuisance, and consign, as far as his influence extends, to immediate destruction.

For this denunciation no pretext of any adequate motive is assigned. At a time when the institution is known to all to be in the most efficient and prosperous state—to be doing all that any bank ever did or can do, we are briefly told in ten words, that it has not effected the objects for which it was instituted, and must be abolished. Another institution is recommended as a substitute, which, so far as the description given of it can be understood, would be no better than a machine in the hands of the government for fabricating and issuing paper money without check or responsibility. In his recent message to congress, the president declares, for the third time, his opinion on these subjects, in the same concise and authoritative style as before, and intimates that he shall consider his re-election as an expression of the opinion of the people that they ought to be acted on. If, therefore, the president be re-elected, it may be considered certain that the bank will be abolished, and the institution which he has recommended, or something like it, substituted in its place.

Are the people of the United States prepared for this? Are they ready to destroy one of their most valuable establishments, to gratify the caprice of a chief magistrate, who reasons and advises upon a subject, with the details of which he is evidently unacquainted, in direct contradiction to the opinion of his own official counselors? Are the enterprising, liberal, high-minded, and intelligent MERCHANTS of the union willing to countenance such a measure? Are the cultivators of the west, who find in the bank of the United States a never-failing source of that CAPITAL, which is so essential to their prosperity, and which they can get no where else, prepared to lend their aid in drying up the fountain of their own prosperity? Is there any class of the people or section of the union so lost to every sentiment of common prudence, so regardless of all the principles of republican government, as to place in the hands of the executive department the means of an irresponsible and unlimited issue of paper money—in other words, the means of corruption without check or bounds? If such be, in fact, the wishes of the people, they will act with consistency and propriety in voting for General Jackson, as president of the United States; for, by his re-election all these disastrous effects will certainly be produced. He is fully and three times over pledged to the people to negative any bill that may be passed for re-chartering the bank, and there is little doubt that the additional influence which he would acquire by a re-election, would be employed to carry through congress the extraordinary substitute which he has repeatedly proposed.

It may be said, indeed, that the President's counselors do not agree with him on this subject, and may perhaps over-rule his opinion before the time of action shall arrive. In his recent report to congress, the secretary

of the treasury has, in fact, undertaken an apology for the bank, which, coming from him, can be viewed in no other light than as a formal defence of that institution against the attack made upon it by the president, although he concludes with the intimation, that his views may be modified in compliance with those of the executive; as if he were not himself the head of the financial branch of that department. It is one of the singularities of our present political situation, that while we are told on the one hand, by the president's partisans, that his acknowledged incapacity may be remedied, by the employment of an able cabinet, we are now told, on the other hand, by his "able cabinet," that they cannot control the president's conduct, and that their sounder notions must be modified so as to meet the views of the executive. In what we are apt enough to consider as the corrupt and servile courts of Europe, a cabinet minister who cannot prevail upon the "executive" from whom he holds his commission to adopt his views, resigns his commission. He deems it improper to modify his opinions, in order to suit them to the views of the executive—in other words, to make himself responsible for a scheme of policy which he does not approve. But supposing that the present secret ry of the treasury, if continued in place, would be able, when the time of action should arrive, to over-rule the president's opinion, substitute his own views for those of the executive, and stay this great mischief—what security can the country feel that he will be so continued? Who can assure us that some explosion, resulting from causes too frivolous to be even made, with propriety, the subject of distinct allusion in a serious political document will not scatter the present cabinet, like the last, to the four winds of heaven, and introduce into the councils of the nation a new set of advisers, still more ready than those who now occupy that place, to accommodate their opinions to the views of the executive? The only security which the country can have for the proper discharge of the duties of the executive, as of every other branch of the government, is the capacity, fidelity, and industry of the individual who is by law responsible for that department—that is, the president; and experience has amply shown, that an individual who is unfit for the office himself, is equally unfit to select those who are to assume his responsibility, and be virtually presidents under him.

The judiciary department, an institution still more important than any one can be that merely affects the economical interests of the union, seems also to be seriously threatened by the perverse policy of the present administration. The great improvement made by the adoption of the present constitution in the political system of the old confederation, was the extension of the power of the union over the persons of the individual citizens, through the action of the federal courts, including, as a necessary ingredient, a right of appeal to these courts from the decisions of those of the states. The adoption of this single salutary provision raised us from the situation of a cluster of poor, imbecile, and, for all substantial purposes, mutually dependent states, oppressed with debts, disturbed by insurrections, and on the verge of absolute anarchy, into our subsequent condition of one great, powerful, prosperous, glorious, free and independent federal republic. The rejection of this wholesome principle would bring us back again to the same situation in which we stood before. Notwithstanding this, a powerful party, represented by several important states, and by a large and respectable portion of the people seem to consider the union, and the principles on which it is founded, positive evils. Much is said of the sovereignty and independence of the states, and of their right, as separate states, to annul the laws; while threats are held out, which have not in all cases proved to be mere empty words, that this is to be immediately exercised, and the union of course virtually dissolved.

Under these circumstances, it was to have been expected that the president, as the head of the executive department, and natural guardian of the rights and powers of the federal government, would have exerted his influence to check this seditious spirit. Instead of this, we find him openly encouraging it, and acting under its influence. When a proposition to repeal, without a substitute, the section of the judiciary act which

provides the appeal from the state to the federal courts, and forms the foundation of the jurisprudence of the union in this respect, was made in congress, it was favored by the immediate friends of the president, and by the journals under his control; and at the recent organization of the house of representatives, the member proposing the repeal was placed at the head of the judiciary committee. These proceedings seem to indicate a settled intention in the administration to shake the independence and destroy the efficiency of this most important branch of the government.

The last point which we shall notice in the conduct of the administration, as relates to the internal policy of the country, and it is, perhaps the most important of all, as far as concerns the principles involved, is that of our relations with the Indian tribes, and particularly that portion of the Cherokees situated within the territorial limits of Georgia. A series of solemn treaties concluded successively by all the administrations of the general government since the period of its establishment, guaranteed to these Indians the possession of their lands without interference or intrusion from any quarter, their right of governing themselves according to their own laws within those limits, and their character of sovereign states. An act of congress passed in the year 1802, authorized and required the president to protect the Indians in the rights guaranteed to them by those treaties, if necessary, by the employment of the military force. In open violation to all these solemn engagements the state of Georgia has extended her jurisdiction, over the territory and persons of the Cherokees situated within her limits, interrupted them in the possession of their dwellings and plantations, and attempted to deprive them of the character of distinct communities; while the president, instead of protecting the Indians against these acts of wholly unauthorized violence, has openly countenanced the pretensions of Georgia, and, instead of employing the armed force of the United States, in their defence, has actually withdrawn that force at the instance of the offending party, from the scene of action, and left the unoffending natives entirely at the mercy of their enemies.

The recent inhuman and unconstitutional outrages committed under the authority of Georgia upon the persons of several unoffending citizens heretofore residing as missionaries within the territory of the Cherokees, constitutes, perhaps, the most unjustifiable portion of these proceedings. They have received, like the rest, the countenance and approbation of the general executive. Few examples can be found, even in the history of barbarous communities, in which the sacred character of a minister of religion has furnished so slight a protection against disrespect and violence to the persons invested with it. We rejoice to learn that this subject will shortly be presented to congress and to the people, in full detail, and in a form fitted to excite the attention which it so well deserves.

It appears from this concise survey of the present situation of the union, as regards the principle branches of our foreign and domestic policy, that it is the duty of all patriotic citizens not only not to aid in the re-election of the present incumbent to the chief magistracy of the union, but to use their efforts to effect a change in the national administration; and in order that such efforts may be made with success, the time has now arrived when it is necessary to designate a candidate for the succession, whose name may be a rallying point and a principle of union among the citizens who are opposed to the re-election of Andrew Jackson.

In looking around the country for such a person, it is almost superfluous to say, that the eyes of all are instinctively directed towards that illustrious citizen, who, after occupying the most distinguished places in the gut of the people; and in all the departments of the administration, has dwelt for some years past in tranquil retirement in the bosom of the west. The qualifications and services of HENRY CLAY are too well known to require the aid of our testimony. As a statesman, advocate and orator, he has been from his youth upward the pride of our courts and legislative halls. As an ardent, fearless, and consistent friend of liberty and republican institutions, he has endeared himself to their friends throughout the world. His devotion to this great cause,

furnishes the surest guaranty that he will, on all occasions, assert the supremacy of the laws, and that executive power in his hands, will be their faithful auxiliary. As one of the principal founders, and supporters of the American system, he is entitled to the warm support of all who desire the prosperity of the great cause of domestic industry and internal improvement. The signal success with which he conducted the affairs of the department of state, evinces his capacity for the actual business of administration; while the generous frankness and captivating warmth of his manners, eminently fit him for a station, where in order to be useful, it is necessary to conciliate the public favor as well as to transact with ability the public business. He has already been designated in various ways, and in all quarters of the country, as the candidate of the opposition, and we consider it the duty of all good citizens to use all the means in their power for the purpose of securing his election.

In proposing, in connection with the name of HENRY CLAY, as a candidate for the presidency, that of JOHN SERGEANT as a candidate for the vice presidency of the United States, the convention offer to your suffrages a citizen of acknowledged talents, various accomplishments, large experience in the highest and most honorable public trusts, unblemished reputation, and the most ardent and unwearied zeal for the honor and interest of the country. Pennsylvania has long looked up to him as one of her chief ornaments, and the citizens of other parts of the union, in placing him in the second office in the executive department of the government, will be happy to shew their concurrence in sentiment with that great and patriotic state.

Without meaning to encourage an undue confidence, which would only generate inactivity, we believe that, with proper exertion, the success of the good cause is beyond the possibility of doubt. The present administration has for some time past been justly discredited in public opinion.—General Jackson has been gradually losing, ever since the commencement of his official term, the popularity with which he entered it. Whole sections of the union have been alienated from him by his strange and inconsistent course upon the tariff and internal improvement. Extensive interests have been thrown into opposition by his reckless and unaccountable denunciation of the bank. Many of his ablest partisans among the public writers have deserted him, and if any considerable portion of reflecting men still adhered to his standard, the wanton attacks upon the judiciary department must have driven them from it in disgust.—The unity of his party is completely broken up, the open rupture between the friends of the vice president and the late secretary of state; and at this moment the citizens opposed to his re-election, constitute a large majority of the whole population of the U. States. Under these circumstances it is quite apparent, that nothing is wanted but zeal, activity and concert, to ensure success.

The aspect of this convention—the unanimity and spirit which have marked its proceedings—and the favorable results which may be expected from its influence upon the community, afford ample security that these requisites will not be deficient.

Such, fellow citizens, is the character of the present administration—such are the motives for changing it, and such are the persons whom we recommend to you for the chief executive officers. Compare their qualifications with those of their competitors; and may the goodness of Providence, so enlighten your choice, that it may tend to promote the security and permanence of our excellent political institutions, and the true greatness and glory of our beloved country.

JAMES BARBOUR, *President.*

ALLEN TRIMBLE,

JOSEPH KENT,

PETER B. PORTER,

ROBERT TEMPLE,

JOSEPH TILLINGHAST,

HENRY BACON.

} *Vice Presidents.*

} *Secretaries.*

NORTH CAROLINA.

Extracts from the message of governor Stokes, to the legislature, delivered 22nd Nov.

In relation to our internal concerns, I have to observe, that it would be impossible to conceal from the world,

and needless to disguise from ourselves, the fact that a certain class of the population of the state have become more discontented and ungovernable than heretofore. Fanatics of their own complexion, and other incendiaries, have fomented these discontents and have incited them in many instances to enter into conspiracies dangerous to the peace and safety of the country. To guard against these evils, which in all probability will continue, the utmost caution and prudence are necessary. Restrictive laws have been enacted without producing the desired effect; and the crimes committed in a late insurrection in an adjoining state, would seem to require further and early attention to this subject. Instead of multiplying severe and sanguinary laws to operate upon those who know little and care less about them, would it not be advisable to establish a more efficient and accountable police, and arm and equip one or more companies of volunteers or detached militia in each county, to be called out when required and to be paid while in actual service? It is believed that such a force, in aid of the civil authority, would effectually secure the peace of the country; and the public arm, belonging to the state could not be placed in safer hands. These state troops might be enrolled for one or more years, be held responsible for the arms and ammunition furnished, and not be suffered to abandon the service during the term of their engagement.

“Another subject demanding your attention is the situation of the funds of the state, invested in the banks. The time is near at hand when the charters of the several banks in this state will expire. The stock held by the state in the state bank of N. Carolina, has for some time past only yielded an interest of 4 per cent. per annum; the stock held by the state in the bank of Cape Fear has, for the last two years, yielded an interest of only three per cent. per annum; whilst the stock held by the state in the Newbern bank has not, for nearly three years, yielded any interest. The period will shortly arrive when all these banks are authorized by law to make a division of part of their capital stock. The funds vested by the state in these banks amount to seven hundred and twelve thousand seven hundred dollars, (\$712,700). This amount of stock, at the common interests of six per cent. ought to produce forty-two thousand six hundred and seventy-two dollars, (\$42,672), annually, whereas, in fact, it produces only eighteen thousand five hundred and sixty-two dollars, (\$18,562), not equal to three per cent.”

“Under these circumstances, would it not be advisable to provide for the establishment of a new bank, in which the funds of the state may be invested, under such regulations as to your wisdom and experience shall be deemed safe and proper? Or shall the state rely, for the accommodation of its citizens and for a circulating currency, upon that portion of the capital of the United States bank, which has already, or may hereafter be allotted to their office of discount in North Carolina?”

“I would willingly bring to your notice the important object of forming a navigable communication between the waters of the Albemarle Sound and the Atlantic ocean, north of Cape Hatteras, and would recommend the application of all the means in your power towards its accomplishment; but believing that, without the aid of the general government, the resources of the state are inadequate to the undertaking at this time, and the last general assembly having urged upon our members of congress the propriety of claiming that aid, we must console ourselves with the hope that this great national work will receive the sanction and support of the national legislature. Having bestowed such immense sums towards the construction of roads and canals in other states, it is believed that this desirable object, so essential to the interests of North Carolina and of the union, will not long be overlooked or neglected.”

“It is to me a source of much gratification to have observed, and to have it in my power to state, that the excitement which seems to pervade a sister state, upon the subject of the tariff, has effected little change in the opinions of the citizens of North Carolina.—With regard to the policy of that measure, there is, so far as my infor-

mation extends, a perfect union of sentiment. All deprecate it as unequal in its operation, and destructive of the interests of the southern planter. The period, however, has not yet arrived, which, in the judgment of this community, authorizes the adoption of doctrines subversive, in their nature, of all order, and manifestly tending to weaken, if not destroy, our whole system of government. The state is justly proud of having given the first legislative sanction to the spirit of the revolution. The same love of rational liberty which prompted this high example, induced our revolutionary statesmen to consider attentively and anxiously the form of government proposed for their adoption. Satisfied, after full investigation by successive conventions, that no powers were delegated but such as were essential to the existence and preservation of the union, it is no matter of surprise that they and their children should support and defend the compact, and neither seek nor desire a remedy beyond it. A new congress is about to assemble. The same spirit of compromise which adopted the constitution, must preserve it, or the question whether man is worthy and capable of self-government, remains yet to be solved. The patriotism of the country looks with confidence to the councils of the nation for a wise and liberal system of policy, and will not hastily arrive at the conclusion that the perils of the revolution were fruitless and vain."

LEGISLATURE OF GEORGIA.

Executive department, Milledgeville, Nov. 25, 1831.
To the senate and house of representatives:

I submit to the general assembly, for its consideration, copies of two communications received yesterday, purporting to be signed by Henry Baldwin, esq. one of the justices of the supreme court of the United States, and to be citations to the state of Georgia, to appear in the supreme court, on the second Monday in January next, to show cause before that tribunal, why two several judgments should not be set aside, which have been lately rendered in the superior court of the county of Gwinnett, against Samuel A. Worcester and Elizar Butler, for a violation of an existing law of the state, committed within its jurisdictional limits. Also a copy of a notice purporting to be signed by William Wirt and John Sergeant, as counsel for Samuel A. Worcester and Elizar Butler, informing me of an intended application to the supreme court, for a hearing on writs of error filed by those persons.

The obvious object of the proceedings to which this notice and these citations relate, is to call in question, and attempt to overthrow, that essential jurisdiction of the state, in criminal cases, which has been vested by our constitution, in the superior courts of the several counties of the state.

My respect for the supreme court of the United States as a fundamental department of the federal government, induces me to indulge the earnest hope, that no mandate will ever proceed from that court, attempting or intending to control one of the sovereign states of this union, in the free exercise of its constitutional, criminal or civil jurisdiction. "The powers not delegated by the constitution to the United States, nor prohibited by it to the states, are reserved to the states respectively." Such a control over our criminal jurisdiction, as these proceedings indicate, is believed, has not been delegated to the United States, and consequently cannot be acquiesced in or submitted to.

Any attempt to infringe the evident right of a state to govern the entire population within its territorial limits, and to punish all offences committed against its laws, within those limits, (due regard being had to the cases expressly excepted by the constitution of the United States), would be the usurpation of a power never granted by the states. Such an attempt, whenever made, will challenge the most determined resistance; and if persevered in, will inevitably eventuate in the annihilation of our beloved union.

In exercising the duties of that department of government, which devolve on me, I will disregard all unconstitutional requisitions, of whatever character or origin they may be; and to the best of my abilities, will protect and defend the rights of the state, and use the means afforded to me, to maintain its laws and constitution.

Signed,

WILSON LUMPKIN.

Vol. XL.—No. 22.

(COPY.)

UNITED STATES OF AMERICA.

To the state of Georgia, greeting:

You are hereby cited and admonished to be and appear at a supreme court of the United States to be holden at Washington on the second Monday of January next, pursuant to a writ of error filed in the clerk's office of the superior court for the county of Gwinnett in the state of Georgia, wherein Elizar Butler is plaintiff in error and the state of Georgia is defendant in error, to shew cause if any there be, why judgment rendered against Elizar Butler as in the said writ of error mentioned should not be corrected; and why specially justice should not be done to the parties in that behalf.

Witness the honorable Henry Baldwin, one of the justices of the supreme court of the United States, this twenty-seventh day of October, in the year of our Lord, one thousand eight hundred and thirty-one.

Signed,

HENRY BALDWIN.

(COPY.)

Samuel A. Worcester, plaintiff in error,
vs.
The state of Georgia, defend. in error,
Elizar Butler plaintiff in error,
vs.
The state of Georgia, defend. in error,

In the supreme court of the U. States.
 In the supreme court of the U. States.

Sir—You are requested to take notice, that on the part of the plaintiffs in error in these cases, application will be made to the supreme court of the United States for a hearing at their next session, immediately after the expiration of sixty days from the delivery to your excellency of this notice.

We are respectfully, your most obedient servants,
 Signed,

WILLIAM WIRT,
JOHN SERGEANT,

counsel for S. A. Worcester and E. Butler.

Philadelphia, Nov. 10, 1831.

His excellency the governor of Georgia.

LEGISLATURE OF OHIO.

We learn from the message of governor McArthur, that the aggregate amount disbursed at the treasury of this state for canals and other purposes, for the year ending 15th November, 1831, is \$236,190 31, leaving a balance in the treasury of \$6,073 33 cents—that the amount of the foreign debt contracted on account of canals, is \$4,400,000, bearing an interest of \$260,000 annually—that in addition to the amount thus borrowed, \$237,128 08 cents had been transferred from the different school funds to the use of the canals, the interest on which last sum, payable to the citizens of Ohio, is \$15,427 68 cts. making the whole canal debt \$4,637,128 08, and that the entire annual interest, is \$275,427 68 cts. The amount received into the treasury from the sale of lands granted by congress to the state of Ohio for canal purposes, during the year ending as above, was \$55,090 79 cts. The amount of tolls collected on the several canals, for the year ending on the 1st November last, was as follows:

On the Miami,	\$36,177 78
" Ohio,	63,934 47

Making in all, \$100,112 05
 which, after deducting the expenses of collection, leaves \$94,619 15 net profit to the state.

The navigation of the Erie and Ohio canal has been opened as far south as Chillicothe, a distance of 250 miles. This, with the Miami canal, and the navigable feeders connected with the main line, make an amount of finished canal, now navigable, of about 344 MILES. It is believed by the acting commissioners that that portion of the Ohio canal between Chillicothe and Portsmouth, a distance of 30 miles, together with the Granville feeder, 6 miles, already in a very advanced state, will be completed in July next, when Ohio will have, of navigable canals, 400 miles.

The effect of the canals, as far as completed, upon the commerce and general interests of the state, is thus described by governor McArthur:—

"The first arrival of canal boats at Columbus, on the 25th September, and at Chillicothe, on the 23d of October, inspired our fellow citizens of the Scioto valley with the most lively and cheering anticipations; and

the cheap and pleasant mode of travelling thereby afforded, has occasioned a great increase of communication between the citizens, not only of our own state, but of those adjoining. The increase of commerce, and the vast amount of merchandise transported upon canals, have already wrought in the country through which they pass, many changes of substantial improvement; and our fellow citizens of the south western and western states, have in many instances availed themselves of this means of conveying their merchandise to their respective places of residence. The regular arrival and departure of packet and freight boats in the various towns along the line of the canal, at a season of the year when navigation has been hitherto unknown, has produced a spirit of enterprise amongst our citizens, which, it is believed, will be attended with the most beneficial effects to the country. The increased demand for the staple products of the country, and the consequent enhancement in the price, must animate the farmers to improve and cultivate their lands to more advantage, and thereby place our agricultural population in that flourishing condition which is so essential to the prosperity of our state."

In looking at the rapid advance which our young sister of the west has made in the perfection of her system of internal improvement, we feel that we should be doing injustice to her enterprise, and to our own feelings, were we not to express the pleasure which we derive from witnessing the brilliant example which she has set to her elders in the confederacy—an example so alluring and salutary, that we trust its influence will not only be felt, but serve to marshal every member of it in the way which leads to the promotion of objects at once so permanent in their character, and so beneficial in their influences upon the rising interests of the states.

[Chron.

LEGISLATURE OF LOUISIANA.

Extracts from the governor's message to the legislature of the state, conveyed at an earlier period than usual in consequence of the events referred to in the following passages; and also for the purpose of appointing a senator of the United States, in place of Mr. Livingston, resigned.

"Conspiracies of slaves, instigated, most probably, by imprudent propagandists and the false philosophy of a certain class of persons styling themselves the friends of the blacks, and who in reality are their greatest enemies, have been plotted in several of the states of the union. These attempts at rebellion have most fortunately been every where repressed with the greatest facility. In Virginia, where these troubles assumed the most serious aspect, the revolted, who only shewed courage when attacking unarmed men and helpless women and children, made no show of resistance when opposed by armed citizens. Those who escaped with life, the first effervescence which they themselves had excited, were soon arrested and delivered over to the just vengeance of the offended laws.

"These insurrections have, with much reason, excited the serious attention of most of the states of the south.—They have taught the necessity of adopting effective measures for preventing the like scenes of disorder; and we cannot be astonished that here, perhaps, more than any where else, they have been regarded with most jealous solicitude. It is well known that in a state, situated as we are, the evil that may result from such attempts can be but very partial and momentary;—we know that we can at any time re-establish order so soon as the public peace is disturbed—we know that it would be absurd to suppose that a revolt of this nature could terminate definitely in any other manner than the total extermination of those who took part in it. But as we are far from desiring the destruction of those whose ignorance only could lead them into such plots, our object in taking the subject into consideration is not so much to provide the means of arresting and punishing our guilty slaves, as it is to save them as far as possible from becoming criminal."

The governor adverts to the inequality of the two minds of population, which he considers however of less consequence than the frequent introduction into the state of the very worst kind of the laboring sort, and in many

cases of such as have been elsewhere participants in conspiracies. The deportation inflicted by Virginia on her slaves is declared to be injurious in this way to other states.

"By a law of the year 1829, the legislature prohibited, under severe penalties, the introduction into this state of any slave or slaves who have been accused of any conspiracy or insurrection, or who have resided in any country or any state or territory of the United States during the time of any conspiracy or insurrection in such country."

The total prohibition of slaves into this state, during a certain number of years, appears alone to me to be the only method of avoiding the danger with which we are threatened. All other means have been tried, and experience has proved their inability.


"This law, if you should think proper to enact it, would not prevent the emigration to this state, of those of our fellow citizens of other states who might, in good faith, wish to bring their slaves and establish themselves amongst us. It can be so framed as to make an exception in their favor, yet obliging them to furnish proper and sufficient proofs as to the good character of the negroes, and security for the faithful fulfilment of their intention of employing them in agriculture. They should also be deprived of the privilege of selling them during a certain number of years; their guarantees would prevent greedy speculators from making use of the exception to their advantage."

On the sugar-duty the message has the following remarks.

"It would be easy to shew beyond a doubt, that the duties complained of, are of no injury to other interests, and only afford us the protection necessary to prevent us from being crushed by foreign competition; that this protection, far from affording a local profit as advantageous to other states, as it is in Louisiana; that it has occasioned a reduction of more than two thirds, in the price of sugar, that by the continuance of the duties, Louisiana will soon be enabled to turn her sugar for the consumption of the United States, and that it in contempt of the public faith, which we have reason to think pledged to the protection of a culture, into which we were induced to embark by the laws of the union, and in which we have expended immense capital, our manufactures should be ruined, the citizens of the United States would thus pay a tax of more than three cents per pound to the profits of foreigners, because the price of West India sugars would be increased much more than the amount now levied, on them in the shape of duty."

The subject of the public lands calls forth the following observations:—

"The subject of the public lands is so painful to me, that I would willingly avoid referring to it, but I feel it my duty to call your serious attention to the sales of pretended vacant lands in this state, by which many families find themselves on the eve of being stripped of the property they have possessed for several generations in virtue of the concessions granted them by the then existing governments of this territory. When we reflect that it is far from being proven, that the general government land, by the treaty of cession, the right of reserving the property in lands really vacant, within the limits of our state, and that our cause may be considered as having been defeated upon without having been investigated, because in guaranteeing to us upon our admission into the union, 'all the rights, advantages, and immunities of citizens of the United States,' it would appear by the treaty that we have the same title to those lands which the original states possessed over their vacant lands, and in virtue of which they retained them; it is difficult to suppress the expression of the feelings that naturally arise in regard to the conduct of the agents of this government, who, not satisfied that we have entirely renounced our claims to the public lands, seek to deprive us of our private property, the possession of which, it certainly will not be denied, was guaranteed to us by the treaty. A respectful but firm remonstrance addressed by you to congress, will no doubt add much weight to the representations which our delegation may make on this subject."

 In consequence of the preceding message, a very severe law was passed against the further introduction of slaves, unless in specified cases; which those interested will refer to for their own instruction.

The New Orleans papers of the 21st Nov. contained a copy of the act in full, and it has been published extensively in other journals, for the general information of holders of and dealers in slaves in other states—in substance as follows:—

It prohibits the introduction of slaves into that state, except by persons emigrating thereto for the purpose of residence, and by citizens for their own use and service, provided that in the latter case they shall not be procured from the states of Mississippi or Alabama, or from the territories of Florida and Arkansas, and provided also that in neither case they shall be sold, mortgaged or loaned, for five years after their introduction. All slaves introduced contrary to these provisions are to be made free, and then removed from the state by the executive; and all persons so introducing them are subjected to a penalty of \$500 to \$1,000 for each slave, and to imprisonment until the same be paid, together with the cost of prosecution.

ALABAMA.

The legislature of Alabama assembled on Monday, the 18th November, at Tuscaloosa. We annex two extracts from gov. Moore's message, on the United States bank and the tariff, questions on which every development of public sentiment is now interesting.

"The bank of the United States is a company bank, in which four-fifths of the stock is owned by individuals. There are twenty-five directors, twenty of which are chosen by the individual stockholders, the remaining five by the president of the United States; the number chosen by the individuals is at all times sufficient to control the direction of the bank. It is, therefore, a separate interest, and liable to all the objections of other company banks, and much more alarming in a government, because of its ramifications throughout the union, in defiance of state authorities. These directors have chartered authority at their discretion, to establish at any point or points, in your state, a branch or branches of a so-called United States bank, no other than a powerful moneyed institution for the emolument, and under the direction of a few individuals of different states and nations. Where are your state rights when twenty-five men, private citizens, have a right thus to trample upon your authority? Collectors of tariff duties are officers of government, and the tax which they collect is for public use, but the national banking tax collectors are private citizens, not material of what nation or country, collecting a tax within the limits of your state, probably against its consent, and for their own aggrandizement. I respectfully submit to your consideration the propriety of making a strong and decided expression against the policy of re-chartering the bank of the United States, especially on its present principles and with its present powers, and discountenancing (for that is the limit of your state right) the establishment of other branches in the state of Alabama.

As a state, we ought to be decidedly opposed to the policy of the American System. It would seem folly to oppose argument to the absurd idea, that the imposition of a tax or duty on any species of fabric will not enhance its price to the consumer; and until this be true, we are sufferers, and cannot favor the policy. There is, however, much diversity of opinion on the subject of the extent to which we may legitimately oppose the existing tariff.

The constitution vests in congress the power "to lay and collect taxes, duties, imposts, and excises;" and it so prescribes that "all duties, imposts and excises, shall be uniform throughout the United States." If congress, therefore, enact a law, to lay and collect duties, which are uniform throughout the United States, the law is within the prescribed powers and binding on the states; but if the duties be not uniform throughout the United States, the law authorizing their collection is unconstitutional and not binding on the states.

But congress by the enactment of the law have said, that the duties are uniform throughout the United States,

(otherwise they had not the power to enact the law) and therefore constitutional. But the state of Alabama says they are not uniform throughout the United States, and therefore the law is not constitutional. Here is the issue. How is it to be tried? I think not by battle in the first resort. The judicial power of the United States is vested in a federal, supreme, and other inferior courts, and extends to "all cases in law and equity arising under the constitution, the law of the United States, &c." But this case arises under the constitution, or laws of the United States, therefore this case is cognizable by the federal, supreme or other inferior courts. But the federal court divides the case against the state; truly, and the decision establishes a part of the constitution, which before was in dispute. But the evil still exists. And the law which oppresses us, has been determined by the proper tribunal to be constitutional. The fault is therefore in the constitution; it vests too much power in congress. The next inquiry is—how is the constitution to be amended? The instrument itself has pointed out the mode.

Having exhausted all the means known to the constitution, and consistent with the union, to obtain relief from legal oppression in vain; if the evil still exist, and be insufferable, it is now the state may begin to calculate the value of the union (a painful reflection to a heart that has always cherished a belief that its value is incalculable.) It is now by reverting to the first principles of a free government, the state may nullify the acts of congress, by declaring them inoperative and void within its limits, and set up for itself. But before it takes this step, it ought carefully to weigh the advantages of a secession, against those of the union, and see that the former clearly preponderates."

PUBLIC DOCUMENTS

Transmitted to the congress of the U. States, Dec. 1851.
REPORT OF THE SECRETARY OF WAR.

Department of war, November 31, 1851.

Sir: In obedience to your instructions, I have the honor to submit herewith a general view of the operations of this department, and of the various branches of its administration, together with the accompanying reports of the officers in charge of the different bureaus for the past year.

The plan of organization by which the great objects of public concern, committed to the war department, are divided into different classes, and placed under the more immediate control of respectable and responsible officers, is well calculated to promote fidelity, promptitude, and economy in the management of these important interests. By assigning to each officer a particular branch of the service, experience in the general administration is acquired at the department, and in the practical details at the places of execution. On this subject I have only to remark, that the importance of our Indian relations, both present and prospective, demands a similar arrangement for this portion of the public affairs. The existing organization rests upon executive authority, but the efficiency and responsibility of that department would be greatly promoted, if its duties were regulated by a legislative act. This measure has more than once been recommended in the reports of my predecessors, and I beg to add my conviction to theirs of its necessity.

The condition of the army is satisfactory in its material, and so far in its morale as depends upon the exertions of the officers. Its appropriate functions are performed honorably for itself, and useful for the country. Although some of the details of the service are susceptible of improvement in their administration, and some in their legislation, still, in the general result, whether viewed as an arm of national defence, or as a depository of military knowledge and experience, it has attained the great object for which it was raised and is maintained. It is efficient without being expensive, and adequate to the exigencies of our service without being dangerous. I refer to the report of the major general commanding, for the detailed operations of the year.

The annual reports of this department have already brought before the government the subject of desertion; and I regret to state, that this serious evil is not only continuing but increasing. Inquiries have been instituted into the causes of this evil, and the most efficient remedy, and much valuable information is contained in a report from the war department of February 17, 1850. But no measures have been adopted to check a practice, which, from its extent and impunity, not only materially injures the service by the loss of the men and the consequent expense, but threatens in its progress, and by its example, to destroy that principle of fidelity which is the only safe bond of connection between the soldier and his country. In the present state of our martial law, and of its necessary administration, there is in fact no adequate punishment for the crime of desertion. Confinement and military tribunals can inflict; and where a soldier is confined in a guard-house, and his companions stationed without to secure him, and with all the facilities of constant communication, we may well doubt whether his situation is so much more unpleasant

then there, as to give to this mode of punishment any salutary effect upon the discipline of the army; and at all our posts, and particularly at those upon the inland border, the soldiers are generally employed either in the line of their duty or upon fatigue, and a sentence to hard labor subjects them to little more than the ordinary demands of the economy.

Whether any system of moderate rewards will prevent this practice, may be doubted; but certainly the abolition of all efficient punishment, without providing any substitute to operate upon the pride and hopes of the soldier, is in fact to invite him to abandon his colors, whenever the restraints of discipline cause temporary dissatisfaction.

To retain a part of the bounty and the pay, and thereby to provide a fund for the use of the soldier when discharged, to reduce the period of service, and to increase the pay of the rank and file of the army, and particularly of the non-commissioned officers, are among the most prominent suggestions, which have been offered upon this subject.

The number of desertions in	
1826 were	436
1827	848
1828	870
1829	1,115
1830	1,231

And in 1831 they will probably amount to 1,450

An estimate has been prepared at the adjutant general's office, founded upon a minute examination and comparison of the various expenses incident to the maintenance of a soldier, and exhibiting the actual pecuniary loss of the government arising from this cause.

This loss was for 1826	dolla. 54,393
1827	61,344
1-28	63,137
1829	98,848
1830	102,087
1831, probably	118,301

The tabular statement accompanying the report of the commanding general shows, that the pay of the non-commissioned officers, musicians, and privates, may be increased so as materially to improve their condition, and not exceed the aggregate amount of \$5,930 dollars. The non-commissioned officers particularly are, in our service, inadequately paid. Every military man is sensible of their importance to the character and efficiency of an army; and such inducements should be offered, as would ensure the engagement of competent men, qualified, by their principles, habits, and intelligence, to acquire the confidence and to command the respect of the soldiers. That this additional compensation would have a tendency to diminish the mischief of desertion, there is no doubt, but in so great a degree as to save the whole sum proposed to be given, expense being only determined.

A very large proportion of all the crimes committed in the army may be traced to habits of intemperance. This vice is, in fact, the prevalent one of our soldiery. I am satisfied that ardent spirits should not form a component part of the ration. By issuing it, we furnish to those already accustomed to its use the means of vicious indulgence, and we invite those, who are yet temperate, to acquire this destructive habit. It is certainly sufficient for all useful purposes, if there be in truth any utility in the consumption of ardent spirits, that the officers be authorized to grant permission for its purchase. In proper quantities, to those whose situation may require it, without the direct agency of the government in allowing and providing it.

There were expended, in 1830, 12,537 gallons of whiskey, at the cost of 12,133 dollars. If this sum were applied to the purchase of tea, coffee, and sugar, for the use of the soldiers, their habits and morals would be greatly improved, and the discipline and respectability of the army promoted. The regulation of this department, by which an officer is made to the soldier of committing the whiskey ration by the payment of one cent, is productive of little advantage. In this estimate of the value of this part of the ration, reference has been had only to the actual average cost of the article, delivered in large quantities at the various posts. But this is unjust to the soldier. He estimates it very naturally at the retail price, averaging probably five cents, and the present offer of commutation is in fact to ask him to sell his whiskey for one-fifth of its value. It is far better to have the troops no choice but to allow them a liberal compensation, and in such articles as will be most useful.

The American soldier is well paid, fed, and clothed; and, in the event of sickness or disability, ample provision is made for his support. But his moral culture is wholly neglected. There is no arrangement in our service for his mental or religious improvement. And there is perhaps no similar service, in which such a measure is more necessary. The use of the positions occupied by our troops are upon the verge of civilization, or beyond it. They are retained for years, and under circumstances, which, if not counteracted, almost necessarily lead to great immorality. None of the ordinary means of instruction are within their reach, and neither these habits nor principles can be improved or fortified by those institutions, which are elsewhere so generally established, and so useful. Independently of any obligation which may be supposed to exist on the part of the government, to provide for the moral as well as the physical wants of a class of men, who, in devoting themselves to the service of the country, become unable to provide for their own wants, it is certain, that, as a question of expediency, this measure is recommended by powerful considerations. Where moral and religious principles are practically acknowledged, their sanctions will add validity to the obligations voluntarily assumed by the soldier, and his duties will be performed with more fidelity and alacrity. A soldier becomes a better man he will become a better soldier. Discipline and subordination will be promoted, punishments diminished, and all the

details of the service will feel the spirit of improvement. I am satisfied that the appointment of chaplains, and their employment at such of our military posts, as from their position and the strength of the garrisons may seem to call for such a measure, would be productive of great advantages to the service; and to the satisfaction of individuals, it would be equally beneficial. In religious exhortations in life, and the consolations of religion in death, would be freely offered to them. The experiment, I think, is worthy of trial; and the expense can scarcely be placed in fair competition with an object, which promises such useful results for the present improvement and future happiness of the soldiers.

The various departments of the staff of the army have performed their respective duties with great efficiency, and in the few great divisions of efficiency, economy, and accountability. The present mode of administration seems well adapted to the nature of our service. The several tabular statements accompanying this report exhibit the satisfactory manner in which the public funds have been expended and accounted for. Nor is there any reason to believe, that the slightest loss will occur from the fiscal operations of the year. It is hoped that the system, as thus benefited, must be not only safe in itself, but safely administered. And for this administration we are indebted to the superintending care of the several bureaus, and to the various officers employed under them, throughout the country. It is evident, that a fund of knowledge has been provided, which cannot fail to be useful in any future emergency. Armies may be suddenly raised, and discipline in the beginning of the late war, furnished a memorable lesson upon this subject, which is to be never forgotten, as we recede from this period of that occurrence. Our present system, and for a small enough for the wants of the service, and yet such is its nature, that it may be indefinitely extended, as the pressure of circumstances may require, ensuring in every branch of the service a judicious system of administration, and experienced officers to direct and supply it.

The military academy has existed sufficiently long, under its present mode of instruction, to enable the government to send the country to form a correct estimate of its value, both with relation to the cadets themselves, and the character of the army. Of 560 officers, having rank in the line, and now in the service, 404 were educated at that institution. These young men have been prepared by a rigid and judicious course of instruction and discipline for the various duties of their profession. 600 have entered the army, of whom but a few have been discarded, and during the present year only two have been brought before courts martial, and they upon charges not affecting their moral character.

These facts are honorable and decisive proofs of general good conduct, when the high state of discipline and the course of vigilant inspection in our service are taken into view. In the annual reports of the visitors at West Point, is exhibited the result of the most careful observations made by persons competent to estimate, and prepared to scrutinize the claims and conduct of the institution. For some years these reports have borne unequivocal evidence to the fidelity and ability of the superintendent, and the academic staff generally, and to the proficiency and correct deportment of the pupils. The record which is kept of their progress and conduct, the spirit of emulation necessarily excited, and the judiciousness of the examinations, which are offered, by the publication of the names of the most distinguished individuals, and by their admission into the army in the order of merit, are powerful incentives to exertion, and, when combined with the strict and impartial examinations to which all must submit, can scarcely fail to secure for the service of their country, such, and such only, as are qualified to be useful.

The science of war is an advancing one. In Europe, where peace is seldom long maintained, a large portion of the talent and intelligence of the community is devoted to this study, and to the consideration and suggestion of changes and improvements in all the branches of their military establishments, whether they relate to the operations in the field, to the various supplies, or to the various course of administration. We must look to those nations for the benefit of the world, who are engaged in the progress in the elements of military knowledge will depend, in a great measure, upon the careful preparation and education of the young men, who are annually appointed in our service. Our local position, as well as our free institutions, may delay, but we have no right to expect they will prevent, the occurrence of war. At this event may happen, it is the part of true wisdom to be prepared for it, as the depositary of a fund he made without too this important subject, which will enable the government to diffuse among the community upon the approach of danger. By assigning a portion of the officers, previously in service, to new regiments and corps, these will soon acquire a competent knowledge of their duties, both in subordination and discipline. The great object of present economy and future security can in no other mode be so certainly attained. When we advert to the comparative effects of training young men for the course of life before them, or of selecting them indiscriminately for the army, without reference to previous pursuits, it will be manifest, that the present system can alone ensure the attainment of the important objects, connected with our military establishment.

It has been stated, that the number of cadets allowed at the military academy is 300. There are in the line of the army 813 officers of all descriptions. Of these, on the 1st day of November, there were present for duty 303, of whom 19 were field and 284 company officers. There were 460 sick and on furlough. And 143 were detached upon various staff duties including the regular staff departments of the army, objects of internal improvement, and the emigration of the Indians. The number of companies being 700, there were not three officers to each company. Taking into view the casualties of the service, there ought not to be less than that number at all times with their companies. The law provides, that there shall be three to each company of infantry, and five to each company of artillery. In addition to these, the act of April 30th, 1812, allows one supernumerary brevet lieutenant to be attached to each company. Of these, there are in service 93, leaving 12 vacancies to be filled from the graduates of the military academy for 1832. The number of the average annual vacancies in the army for five years has been 23, and of the graduates to fill these, 40. There may, therefore, at the next examination, be forty candidates for appointment, and but 26 vacancies to be filled. I would suggest the expediency of adding 34 to the number of brevet ad lieutenant, and leaving them unattached to do duty whenever required. Every company may thus have three officers at all times present, to the great advantage of the service.

I refer to the report of the chief of the engineer department for the various details connected with this interesting branch of the public service.

The suggestions he has made, appear to me worthy of consideration. I particularly call to your notice the proposition for a new organization of the corps of engineers. The views of this department upon that subject, were expressed in a report of January 13th, 1831, in answer to a call of the house of representatives, and in those views I fully concur. The measure is required by the public interest.

Unless provision is soon made for the repair and preservation of the road constructed by the United States from Cumberland to the Ohio river, that expensive and useful work will be ruined. Many parts of it are now so seriously injured as to render traveling difficult, and sometimes dangerous. The destruction of this great connecting link between the Atlantic and the western states, which, with a light transit duty and a proper system of administration, would last for ages, cannot be anticipated without great concern. The continuance of this road in the state of Ohio is threatened from this danger. With the consent of the general government, that state has established toll gates, and levies a moderate duty upon that part of the road within her jurisdiction, which is finished.

I consider it my duty to bring this matter before you, in the hope that it will engage the attention of congress, and that a similar system for the preservation of the road from Cumberland to the Ohio river, will be adopted. If it were placed by the general government in proper repair, and then surrendered to the states respectively, through whose territories it passes, under the same conditions, as were annexed to the cession of the road in Ohio, there is reason to believe, that the arrangement would receive the sanction of those states, and that a permanent system and adequate means would be provided for the preservation of this work, in a manner not birth to come to the communication upon it. If this be not done, or some other expedient adopted, the road will soon fall into a state of entire dilapidation.

By an executive regulation of the 31st of June, 1831, the topographical corps was reorganized from the engineer department, and now constitutes a distinct bureau. The duties of this corps are important to the country; and if its organization is rendered commensurate, a mass of valuable materials, exhibiting a general and accurate view of the geographical outlines of the union, will be collected, to be used for any of the great purposes of peace or war. In a report from this department, of January, 1831, this subject was considered, and the necessity of the measure stated and enforced. To that report, containing valuable suggestions, I take the liberty of referring.

A minute knowledge of the features of a country is essential to any plan of military operations; and this knowledge should be gathered in a season of leisure, and deposited in our archives. In Europe, it is considered one of the most important elements of military science, and upon its contributions have often depended the efforts of a whole campaign. All the surveys made by the topographical corps are returned to the depot in this department, where they can be detained or combined, as it may become necessary to exhibit views more or less general. These surveys, dissecting the country in all directions, and particularly along its streams or routes, where roads already are, or probably will be established, prevent those features, which are most important to the operations of armies. A general survey of our coasts, both Atlantic and interior, is demanded by considerations of national interest as well as of character. Arrangements for the former were made some years since, and expensive instruments were procured, which are yet in the possession of the government. The work was actually commenced, but was abandoned before much progress had been made. If this operation were resumed, and committed to one of the scientific corps of the army, its completion would prevent the recurrence of those circumstances, to which the abandonment of the project may be attributed. Our own lakes are but imperfectly known to us, and the advance of the settlements and the extension of commerce require, that this defect should be supplied. Labors of this nature have engaged the attention of the most enlightened governments, and the materials become a part of the general stock of the public knowledge. The necessity of peculiar instruction for officers devoted to these duties, both in the scientific principles and in the practical de-

tails, is well illustrated in the report from the topographical office. Some of the operations require an intimate knowledge of the most abstruse investigations of the present day, in mathematical and physical science; and we shall in vain look for their accomplishment, unless the government make provision for the measure.

To the ordnance department is committed the duty of providing and preserving the necessary armament for the land service of the United States. The trust is a responsible one, requiring fidelity in the administration, and practical as well as scientific knowledge in the execution. The expenditure for these objects exceeds 900,000 dollars annually, and the value of the accumulated property equals twelve and a half millions. But the pecuniary service gives it a still deeper interest, than the preservation of the armaments. The arms are well fabricated and preserved, and in sufficient abundance, and unless we keep pace with the improvements, which modern science and ingenuity are making, the consequences may hereafter prove disastrous. The necessary provision for these objects cannot be made without much time and experience, and that they may be ready for use they must be procured in peace. A stable and efficient organization is therefore essential to the ordnance corps; and in the report of the officer at the head of the branch, I find his views of its present condition. I recommend the subject to your favorable notice. The suggestions are the result of much experience, and present in a forcible manner the defects of the existing system, and the meliorations that are required. I am assured, that the adoption of the measures proposed would give greater efficiency to the operations of this section of the public interest, and more economy in its expenditures.

A commission of experienced officers will be directed to investigate the subject, and to report their views concerning the various matters connected with it; and particularly with respect to the patterns and construction of the small arms and cannon, and any alterations which experience may have indicated. Their report, when received, will be laid before you.

I have made some examination into the condition of this branch of the national defence, with the view of ascertaining the supplies in service and in depot, and determining the quantity yet required to meet the demands of a prudent forecast. The result I shall submit for your consideration.

The United States have now in serviceable condition about 465,000 muskets. The annual demand to supply the necessary loss in the army and the militia, and to furnish the issues to the respective states, is 18,300. The same manufactured in the public armories is about 55,000, and 31 private manufacturers make a total of 36,000, at the average cost of twelve dollars each. We had at the commencement of the late war 240,000 muskets in depot, and during its progress 66,000 were made and purchased. At its termination, there were but 80,000 at the various arsenals, and many of those in the hands of the troops were unserviceable. Eight years were then required to replace the number lost during the war.

From 1802 to 1814 there were 3,056,257 small arms of all descriptions, procured for the French service.

And during the same period, for the British service, 3,142,306. The average number of small arms annually fabricated in the French arsenals from 1802 to 1814, was 119,573.

In the British arsenals, from 1802 to 1814, 1,001,947. The stock on hand in Great Britain, in 1817, in depot,

was

In the public service,	818,323
	200,974
Total,	1,019,296

The number in depot in France, in 1811, was 600,000, not including the great number in service.

These statements may be useful in determining the proper number of small arms, which ought to be provided in this country. Being almost imperishable, when properly secured and preserved, their accumulation occasions no actual loss, as the time must, in all probability, come when they will be wanted.

Considering the nature of our service, requiring, as it does, an unusual expenditure of these articles in consequence of the great proportion of militia we employ, and the system of rotation, by which their services are regulated, and great losses consequently occasioned, and also the necessity of large depots in different sections of such an extensive country, each of which should be adequate to any probable emergency, it is evident that our stock of small arms should at all times be large. Whether the quantity now on hand be sufficiently so, is for congress to determine.

There are now 633 cannon of various calibers, for field service. And there are at the arsenals and in the old fortifications, 1,165. But these cannon are all of antiquated patterns, and, with the exception of the six pounders, amounting to 344, and a few of the heavier pieces, are considered unserviceable. There have been procured for the armament of the new fortifications, 1,814 cannon of the improved pattern.

The old fortifications will require, (probably), 646
The new, already completed, 2,587
Those contemplated by the board of engineers, a part of which are now constructing, 4,045

Besides these, proper field trains, deposited in different sections of the union, and sufficiently large to meet probable contingencies may be estimated at 853.

The average cost of our cannon is 5 94-100 dollars per hundred pounds, which gives the following for those of different calibers:

For 42-pounders,	720 dollars.
32 "	180
24 "	330
18 "	345
12 "	180
6 "	70

It is estimated that an iron cannon will not safely bear more than 1,300 discharges with the service charge, after which it should be broken up.

The United States have no armories for the fabrication of cannon. The practice for some years has been to make contracts with the owners of the four foundries at Richmond, Georgetown, Pittsburg and West Point, to the amount of the annual appropriation, allowing about an equal proportion to each, and paying such price as the ordnance department, on the best information, judge reasonable.

This procedure has been repeatedly stated in the annual reports to Congress, together with the reasons which led to it. There are furnished in the capacity and experience required to conduct this business; in the necessity of depending in some degree upon the integrity and character of the manufacturers, as there may be defects in the price not easily discoverable, owing to the necessity of purchasing in large quantities; and in the fact that, in the event that a general competition for these supplies were excited, the existing establishments would be broken down and others endeavor to take their place, which would either lead from similar causes, or furnish common profit for service; and thus leave the Government, at some critical period, without the means of procuring this indispensable arm of defense. The provisions of the Act of March 3, 1879, in relation to, (to preserve) are serious objections to this course; and I bring the subject before you at this time, that it may be fully considered.

It appears to me, that a public armory for the fabrication of munitions is required by obvious considerations. By forming such an establishment, the necessary experience and artisans would be provided, and such supplies of heavy ordnance manufactured as the government might direct. The actual value of the article would be ascertained, and contracts with individuals could be formed with a full knowledge of the circumstances. There would be no danger of combinations, nor would any injury result to the fabricator. The supplies might be so controlled as to leave no fear of a deficiency in the quality or quantity of this essential arm of defense.

The report of the surgeon general will be found a review of the operations of the medical department, and the propositions submitted by him for its better organization. Fifteen thousand dollars are annually expended for the employment of private physicians, because the corps is not sufficiently numerous to discharge the duties demanded of it. We have sixty four military hospitals and recruiting rendezvous requiring surgeons, and we have in service about fifty three surgeons and assistants. There is no doubt that the present organization, under all circumstances, is for the public interest. An increase of the corps as recommended by the surgeon General, is evidently required.

The considerations urged by him for an addition to the pay of surgeons and assistants, are certainly forcible. There is no portion of the army, whose compensation is so inadequate, nor is there any, which presents less prospect of reward. There are but two grades of rank in our medical service, and the emolument of the highest is but little superior to that of a captain.

It is due to the army, that the subject of these commissions should be placed before you. So far as respects the prices and compensation of officers holding these commissions, the present regulations are just, and well calculated to prevent any injury to the public service. No officer can receive the pay of his brevet until after serving in that capacity when on duty and having a command according to his brevet rank. There are twenty three officers in the army now drawing brevet pay.

These brevet commissions presuppose experience in the office, and are founded upon the presumption, that circumstances may arise when his services may be useful in a more extensive sphere than that in which, by his final commission, he is required to perform them. The brevet is not a promotion, but a recognition of merit in any other. Our regular troops and militia must frequently be put together. When thus co-operating, the officers of the regular army take rank of all militia officers of the same grade; whatever may be the date of their respective commissions. This rule is not confined to the militia, but extends to all the armed forces of the nation. In the militia, however, the brevet is not a permanent distinction; it gives no experience its proper weight. In granting brevet commissions, after ten years' service in one grade, agreeably to the present rule, experienced officers will be provided for command upon detachment, or at posts where the

The construction, which has been given to the law upon this subject, has restricted the granting of brevet commissions upon or only to those cases only where ten years' services have been rendered under such prior commissions. There may be no doubt respecting the correctness of this view, and also the expediency of the restriction.

These commissions except in the few instances stated, and in very rare operation, are expiate to the government. The young men, in their operations, are to be good conductors and instructors to future officers. They cannot be allowed, for instance, to faintly qualify an officer for a higher grade; and to attain by merit promotion the rank of brigadier general from the commencement of a term of a captain, requires a period of forty years. And if to this be added the necessary progress through the lower grades of first and second lieutenant, the prospect of a young man, on entering our service, is not very flattering. Nor can he now, as in former times, be allowed to be a soldier and officers, with equal economy, to live respectably; and few will leave for their children any inheritance but a good name.

It is important that a just pride of character, personal and professional, should be encouraged in a class of men, whose order and fidelity are essentially upon the cultivation of such a feeling. This form of promotion, so useful in war and economical in peace, is a honorable object of ambition, and cannot fail to stimulate the exertions of the officers of the army.

The situation of the militia demands the attention of the Government. Owing to defects in the system itself, or in the management of its administration, public confidence has been impaired in the efficacy of that great branch of the national defence. This is to be regretted; for, although this force cannot be regarded as our main reliance, it is nevertheless the best, and the only, we possess of a plausible auxiliary, and one which the nature of our institutions has allowed as they are to a large standing army, renders indispensable. The power of organizing, arming and disciplining the militia is vested by the constitution to congress; and if the laws upon this subject are faithfully executed, it is for the benefit of that body to apply the remedy.

[illegible]

1926, a board of officers, selected from the regular army and militia, was convened at the seat of government, and instructed to take into consideration the militia system generally, and to submit recommendations which might appear to them useful. Thus it embodied much intelligence and experience; and their report is an able and interesting one. I advert to it, in the hope, that this subject may engage the attention of congress, and in the opinion, that the plan of organization recommended by that body is the only one, which offers any real prospect of improvement or efficiency.

the condition and prospects of the aboriginal tribes within the United States, and yet the subjects of anxious solicitude to the government. Circumstances have occurred of late years, which have produced important changes in the intercourse between them and us. In some of the states, they have brought within the operation of the ordinary municipal laws, and have thereby become subject to the legislative enactments. This procedure renders most of the provisions of the acts of Congress upon this subject inoperative; and a crisis in Indian affairs has evidently arrived, which calls for the establishment of a system of policy adapted to the existing state of things, and which shall be upon a more permanent basis than that of Indians. Whatever change may be contemplated in their present situation, no one will advocate the employment of force proper influence in effecting it. It is due to the character of government, and the feelings of the country, not less than to honor and pleasant results, that of our unhappy race the more of kindness and far-berance should mark the whole course of intercourse with them. The great object, after giving ourselves up to the best chance of their permanent well-being, is to establish the basis of the integrity of our views, and the wisdom of the course we have pursued. It is the wisdom which in the retrospect for various reflection on our part, and pleasant recollection on thine; and it is only by a dispassionate examination of the subject, and by prudent and timely action, that we can hope to repair the errors of the past by the wisdom of the future.

Indians, who are placed in immediate contact with the settlements of the United States, have now the alternative of migration, of remaining in their present position, or of migrating to the country west of the Mississippi. If they are induced to remain, their political condition becomes a subject of considerable national interest, as they may either retain all those institutions, constitute them a peculiar people, both socially and politically, or they must become a portion of that great community which is gathering round them, responsible to its laws, and looking to them for protection.

Can they expect to maintain that *quasi* independence they have heretofore enjoyed, and could they so maintain it, would the privilege be beneficial to them?

The right to extend their laws over all persons, living within their boundaries, has been claimed and exercised by many of the states. The executive of the United States, has, on full consideration, decided that there is no power in that department to interpose any obstacle to the assumption of this authority. As upon this co-ordinate branch of the government devolves the execution of the laws, and particularly many of the most important provisions in the various acts regulating intercourse with the Indians, it is difficult to conceive how these provisions can be enforced, after the president has determined they have been abrogated by a state of things inconsistent with their obligations. How provisions can be conducted, treasuries removed by military power, and other acts performed, which require the co-operation of the executive, either in their initiation or progress.

I do not presume to discuss this question. I find it determined, and the settled policy of the government already in operation. Whatever diversity of opinion there may be upon this subject, those who are most opposed to these views will probably admit, that the question is a judicial one, connected with its relations and pregnant with serious consequences. The claim of exemption from the operation of the state laws, which is presented in favor of the Indians, must rest upon the constitution of the U. States, upon natural right, or upon conventional engagements. If upon the former, it may be doubted whether the instrument contains any grant of authority to the general government, which necessarily divests the state legislatures of their jurisdiction over any class of people, living within their respective limits. The two provisions, which can alone bear upon the subject, seem to have far different objects in view. If the claim rest upon natural right it may be doubted whether the condition and institutions of this rude people do not give to the civilized communities around them and among whom they live, the right of guardianship over them, and the power to legislate in a forthright practice of all other civilized nations under similar circumstances—a practice, which, in its extent and exercise, has varied from time to time, as the relative circumstances of the parties have varied, but of whose limitations the civilized communities have been and must be the judges. And, besides, if the Indian tribes are independent of the state authorities, on account of their natural and primitive rights of both, then the Indians are equally independent of the authorities in the United States. The claim upon this ground, places the parties in the attitude of entire independence; for the question then is not how we have divided our political power between the confederated government and its members, and to which we have entrusted the exercise of this supervisory authority, but whether the facts of nature gave to either any authority upon the subject. But, if the claim rest upon a legal conventional engagement it may then be doubted whether in all our treaties with the Indian tribes there is any stipulation, incompatible with the exercise of the power of legislation over them. If there were, the legislative power of congress, as well as that of the respective states, would be annihilated, and the treaties alone would regulate the intercourse between the parties. But, on a careful investigation, it will probably be found, that, in none of our treaties with the Indian tribes, is there any guaranty of political rights incompatible with the exercise of the power of legislation. These instruments are generally either treaties of peace or of cession. The former treatise and secure to the Indians interests of which they were deprived by conquest, and the latter define the boundaries of cessions or reservations, and provide for the territory and the consideration to be paid, really the principles of the new compact. In both, every sound rule of construction requires, that the terms used should be expounded agreeably to the nature of the subject-matter, and to the relations previously subsisting between the parties. If general expressions are not controlled by these principles, then the term "their land," or, as it is elsewhere called "their hunting grounds," instead of meaning what our own negotiators and the Indians themselves understood, that possessory right, which they have heretofore enjoyed, would at once change our whole system of policy, and leave them as free to sell, as it would individuals or nations to buy, those large unappropriated districts, which are rather visited than possessed by the Indians.

It may be remarked that all rights secured by treaty stipulations are wholly independent of this question of jurisdiction. If the Indians are subject to the legislative authority of the U. States, the authority will not be exercised so as not to contravene their rights. If they are subject to the respective states, such too, will be the course of legislation over them. And if, undesired, any right should be impaired, the Indians have the same respect as our own citizens to the tribunals of justice for redress; for the law, while it claims their obedience, provides for their security. The supremacy of the law will be exercised so as not to contravene their obligations to the Indians, nor are these necessarily impaired by it. It may be difficult to define precisely the nature of their possessory right, but no one will contend that it gives them the absolute title to the land with all its attributes; and every one will probably concede that they are entitled to as much as is necessary to their comfortable subsistence. If we have entered into any stipulations with them, the government is not at liberty to withdraw them with the limited powers of the government, or interfering with paramount obligations, the remedy is obvious. Let ample compensation be made to them by the United States, in a spirit of good faith and liberality. The question would be one, not of pecuniary amount, but of national character and national obligations.

That we may neither deceive ourselves nor the Indians, it becomes us to examine the actual state of things, and to view these

as they are, and as they are likely to be. Looking at the circumstances attending this claim of exemption on the one side, and of supremacy on the other, is it probable that the Indians can succeed in the establishment of their pretensions? The nature of the question, doubtful, to say the least of it; the opinion of the executive; the practice of the older states, and the claims of the young ones; the difficulties which would attend the introduction of our system of a third government, complicated in its relations and difficult in its principles; public sentiment, naturally opposed to any reduction of territorial extent or political power; and the obvious difficulties, inseparable from the consideration of such a great political question, with regard to the tribunal, and the trial, the judgment, and the process; prevent obstacles which must all be overcome before this claim can be enforced.

But could the tribes, and the remnants of tribes, east of the Mississippi, succeed in the prosecution of this claim, would the issue be beneficial to them, immediately or remotely?

We have every reason to believe it would not; and this conclusion is founded on the condition and character of the Indians, and on the result of the efforts, which have been made by them, and for them, to resist the operation of the causes that yet threaten their destruction.

I need not endeavor to illustrate these positions. They are connected with the views, which will be found in the sequel of this report. And it is not necessary to embarrass a subject already too comprehensive.

A change of residence, therefore, from their present positions to the regions west of the Mississippi, presents the only hope of permanent establishment and improvement. That it will be attended with inconveniences and sacrifices, no one can doubt. The associations, which bind the Indians to the land of their forefathers are strong and enduring; and these must be broken by their migration. But they are also broken by our citizens, who every day encounter all the difficulties of similar changes in the pursuit of the means of support. And the experiments, which have been made, satisfactorily show, that, by proper precautions, and liberal appropriations, the removal and establishment of the Indians can be effected with little comparative trouble to our country. Why, then, should the policy of this measure be doubted, or its adoption opposed? The whole subject has materially changed, even within a few years; and the imposing consideration it now presents, and which are every day gaining new force, call upon our government and the country to determine what is required on our part, and what course shall be recommended to the tribes. If they resist, they must decline, and eventually disappear. Such is the result of all experience. If they comply, they may be comfortably established, and their moral and physical condition meliorated. It is certainly better for them to meet the difficulties of removal, with the probability of an adequate and final reward than, yielding to their constitutional apathy, to sit still and perish.

The great moral debt is owed to this unhappy race is universally felt, and acknowledged. Direct acts of opinion expressing the proper mode of discharging this obligation, but its validity is not denied. And there certainly are difficulties which may well call for discussion and consideration.

For more than two centuries we have been placed in contact with the Indians. And if this long period has been fruitless in useful results, it has not been so in experiments, having in view their improvement. Able men have been sent to the frontiers, and good men attempting to improve it. But, if these labors have been as unsuccessful in the issue, as many of them were laborious and expensive in their progress.

The work has been aided by governments and communities, by public opinion, by the obligation of the law, and the sanction of religion. But its history furnishes abundant evidence of entire failure, and every thing amount to upon the frontier confirms its truth. The Indians have either refused as our settlements advanced, and until their fragments with some kindred tribe, or they have attempted to establish themselves upon reservations in the vain hope of retaining the pressure upon them, and of preserving their peculiar institutions. Those, who are honest to us, have generally suffered most severely by the debasing effects of adroit spirits, and by the loss of their own principles of restraint, few as these are, without the acquisition of ours; and almost all of them have disappeared, crushed by the onward course of events, or driven before them. Not one instance can be produced in the whole history of the intercourse between the Indians and the white men, where the former have been able, in districts surrounded by the latter, in withstand successful attempts at subjugation or long enough to have elevated one of their race and depressed the other. Such a monument of former successful exertion does not exist.

These remarks apply to the efforts, which have been heretofore made, and whose history and failure are known to us. But the project has been lately revived with a different interest, and is now pursued in this labor of philanthropy, and who, from a religious interest, time must show. That must of these engage it in this labor are actuated by pure and disinterested motives, I do not question. And, if in their estimate of success they place too high a value upon appearances, the error is natural to persons zealously engaged in a task calculated to enlist their sympathies and awaken their feelings, and has been common to all, who have preceded them in this labor of philanthropy, and who, from a religious interest, have indulged in anticipations of the most signal success, only to be succeeded by disappointment and despondency.

That these exertions have recently been productive of some advantage, may well be admit it. A few have probably been reclaimed from abandoned habits, and some, perhaps, have really appreciated the inestimable value of the doctrines which have been taught them. I can speak from personal observation only of the northern and northwestern tribes. Among them, I am ap-

perbrenne the benefits will be found but few and temporary. Of the condition of the Cherokees, who are said to have made greater advances than any of their kindred race, I must judge from such information as I have been able to procure. Owing to the prevalence of slavery and other peculiar causes among them, a number of the half-breeds and their connections, and perhaps a few others, have acquired property, and with it some education and information. But I believe the great mass of the tribe is living in ignorance and poverty, subject to the influence of the principal men, and submitting to a state of things, with which they are dissatisfied, and which offers them no rational prospect of stability and improvement.

The failure, which has attended the efforts heretofore made, and which will probably attend similar attempts upon similar principles, may be attributed partly to the inherent difficulty of the undertaking, resulting from characteristics peculiar to the Indians, and partly from the mode in which the operations have been conducted.

Without entering into a question which opens a wide field for inquiry, it is sufficient to observe, that our primitive people, as well in their habits and opinions as in their customs and pursuits, offer obstacles almost insurmountable to any considerable and immediate change. Indolent in his habits, the Indian is opposed to labor; impudent in his mode of life, he has little forethought in providing, or in saving. In domestic economy, he is ignorant, and once his own traditions and institutions, he is satisfied of their value, and dreads the anger of the Great Spirit, if he should depart from the customs of his fathers. Devoted to the use of ardent spirits, he abandons himself to his indulgence without restraint. War and hunting are his only occupations. He can endure, without complaining, the extremity of human suffering; and if he cannot overcome the evils of his situation, he submits to them without repining. He attributes all the misfortunes of his race to the white man, and looks with suspicion upon the offers of assistance that are made to him. These traits of character, though not universal, are yet general; and the practical difficulty they present, in changing the condition of such a people, is to satisfy them of our sincerity and the value of the aid we offer; to hold out to them motives for exertion; to call into action some powerful feeling, which shall counteract the tendency of previous impressions; and, under such circumstances, and with these difficulties in view, that the government has been called upon to determine what arrangements shall be made for the permanent establishment of the Indians. Shall they be advised to remain or remove? If the former, their fate is written in the annals of their race; if the latter, we may yet hope to see them renovated in character and conduct by our exertions, and by the influence of the new world.

But, to accomplish this, they must be first placed beyond the reach of our settlements, with such checks upon their disposition to hostilities as may be found necessary, and with such aid, moral, intellectual, and pecuniary, as may teach them the value of our improvements, and the reality of our friendship. With these salutary precautions, much should then be left to themselves, to follow such occupations as the forest or the field, or the cultivation of the soil, without too much interference. Time and prosperity must be the great agents in their melioration. Nor have we any reason to doubt but that such a condition would be attended with its full share of happiness; nor that their exertions would be stimulated by the security of their position, and by the new prospects before them. By encouraging the severity of soil, sufficient trials might be assigned to all disposed to exertion; and, by timely assistance, the younger class might be brought to seek in the farm a less precarious subsistence than is furnished by the chase. Their physical comforts being increased, and the desire of acquisition brought into action, a moral stimulus would be felt by the youthful portion of the community. New wants would appear, and new means of gratifying them; and the great work of improvement would thus commence, and, commencing, would go on.

To its aid, the truths of religion, together with a knowledge of the simpler mechanic arts and the rudiments of science, should then be brought; but if our dependence be first placed upon these, we must fail, as all others have failed, who have gone before us in this field of labor. And we have already fallen into this error of adapting our efforts to a state of society, which is probably yet remote among the Indians, in withdrawing so many of the young men from their friends, and separating them at our expense. They are there taught various branches of learning, and, at some of these institutions, a partial knowledge of the mechanic arts, and of the principles of agriculture. But after this course of instruction is completed, what are these young men to do? If they remain among the whites, they find themselves the members of a peculiar caste, and look around them in vain for employment and encouragement; if they return to their countrymen, they acquire no other benefit: these are neither understood nor valued; and, with the exception of a few articles of iron, which they procure from the traders, the common work of our mechanics is useless to them. I repeat, what is a young man, who has been thus educated, to do? He has no means of support, no instruments of agriculture, no domestic animals, no improved farm. Taken in early life from his own people, he is no longer the same man; he has the chance of means of support or exchange; and that, under such circumstances, he should stand himself to a life of interdependence, can scarcely excite our surprise, however it must our regret. I have been earnestly asked by these young men, how they were to live; and I have felt that a satisfactory answer was beyond my reach. To the government only can they look for relief, and if this should be furnished, though at a moderate rate, they might still become useful and respectable; their example would be encouraging to others, and they would form the best instructors for their brethren.

The general details of a plan for the permanent establishment of the Indians west of the Mississippi, and for their proper secu-

city, would require much deliberation; but there are some fundamental principles, obviously arising out of the nature of the subject, which, when once adopted, would constitute the best foundation for our exertions and the hopes of the Indians.

1. A solemn declaration, similar to that already inserted in some of the treaties, that the country assigned to the Indians shall be theirs as long as they or their descendants may occupy it, and a corresponding determination that our settlements shall not spread over it; and every effort should be used to satisfy the Indians of our sincerity and of their security. Without this indispensable preliminary, and without full confidence on their part in our intentions, and in our abilities to give the effect, these change of position would exclude all ardent spirits from their new country. This will no doubt be difficult; let a system of surveillance upon the borders, and of proper police and penalties, will do much towards the extermination of an evil, which, where it exists to any considerable extent, is equally destructive of their present comfort and their future happiness.

2. The employment of a quiet force in their immediate vicinity, and a fixed determination to suppress, at all hazards, the slightest attempt at hostilities among themselves.

So long as a passion for war, fostered and encouraged, as it is, by their opinions and habits, is allowed free scope for career, it will prove the master spirit, controlling, if not absorbing, all other considerations. And if in checking this evil some plans should become necessary, they would be sacrifices to humanity, and not to severity.

3. Encouragement to the severity of property, and such provision for its security, as their own regulations do not afford, and as may be necessary to its enjoyment.

4. Assistance to all who may require it in the opening of farms, and in procuring domestic animals and instruments of agriculture.

5. Leaving them in the enjoyment of their peculiar institutions, as far as may be compatible with their own safety and ours, and with the great objects of their prosperity and improvement.

6. The eventual employment of persons competent to instruct them, as far and as fast as their progress may require, and in such manner as may be most useful to them.

Arrangements have been made upon fair and equitable terms with the Shawnees and Senecas of Lewistown, with the Shawnees of Wapashkonetta, and with the Ottowas of Blanchard's fork, and the Maumee, all within the state of Ohio, for the cession of their reservations in that state, and for their migration to the region assigned for the permanent residence of the Indians. A similar arrangement was made with the Senecas in the early part of the year, and they are already upon their journey to their new country. A deputation from the Wyandots has gone to examine the district offered to them; and the general outlines of an arrangement for a cession have been agreed upon, to be formally executed, if the report of the exploring party should prove satisfactory.

It has been suggested that a considerable portion of the Cherokees in Georgia are desirous of availing themselves of the provisions of the treaty, May 6th, 1828 for their removal. With view to ascertain this fact, and to afford them aid offered by that treaty, if they are inclined to accept it, a system of operations has been adopted, and persons appointed to carry it into effect. Sufficient time to form a judgment of the result of this measure has not yet elapsed.

But in all our efforts, which may be made, the subject will be fully and accurately explained to the Indians, and they will be left to judge for themselves. The agents are prohibited from the exertion of any improper influence, but are directed to communicate to the Indians the views of the President, and his decided conviction, that their speedy removal can only preserve them from the serious evils which environ them. It is to be hoped, that they will accept this salutary advice, and proceed to join their countrymen in the district appropriated for their permanent residence.

If the seeds of improvement are sown among them, as many good men assert and believe, they will ripen into an abundant harvest—profitable to themselves in the enjoyment, and to all the members of this dispersed family in the example.

The details of an outrage committed by a party of Fox Indians upon a number of Menomonees at Prairie du Chien, while encamped upon the Wisconsin reservation, and the subsequent proceedings of the officer having charge of the bureau of Indian affairs. The alleged motive for this wanton aggression was some previous injury of a similar nature, stated to have been committed by the Menomonees upon the Fox Indians—a justification, which can never be wanting, where neither truth nor treaties, as in this case, are permitted to cancel the offence.

The aggressive and vindictive difficulties at Rock Island with the Indians, of which the same report furnishes the particulars, shows the necessity of employing upon the frontier a corps of mounted men, to be stationed at the most exposed points, and to be always prepared to follow every party, that may attempt to interrupt the peace of the border by attacking either our citizens, or other Indians. These predatory bands strike a stroke, and disappear. And there is no institution in the Indians, which has a strong tendency to war, that we shall long be liable to the outrage. A military prowess and success form their principal road to distinction. And the interminable forests and prairies of the west offer them the means of shelter and escape. No infantry force can expect to overtake them; and if we are not provided with mounted troops, who can prevent or punish these aggressions, we shall finally be compelled to adopt measures more expensive and inconvenient to us, and more injurious to the Indians.

Very respectfully, sir, I have the honor to be your obedient servant,
LEWIS CASS.

To the President of the United States.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 17—VOL. V.

BALTIMORE, DEC. 31, 1831.

[VOL. XLI. WHOLE No. 1,088]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ A writer in the "National Intelligencer" thinks that I have been taking one of Rip Van Winkle's long naps, because I spoke of the dog-in-the-manger policy of the Chesapeake and Ohio canal company, in relation to the Baltimore and Ohio rail road.

I do not profess an acquaintance with the legal details of a controversy so fatal to the public interest, in its arrest of, at least, one of the great lines of communication between the east and west—for the rail road company is well known to be ready to go *onward*! I had reference only to what I understand to be a simple fact—the road company's proposition to pass the Point of Rocks at the joint expense of both companies, which, in its division, will much less-n the cost which *either*, setting separately, must incur. Unless there be some reasons urged against this proposition which I have not seen or heard of—the term used cannot be withdrawn.

There appears to be a feeling about the canal which does not exist concerning the rail road. The people of Baltimore have no jealousies with respect to the canal, unless interfering in the *construction* of their road. Whether the canal shall be made or abandoned, enters not into our calculations of business, any more than matters of the moon. The canal is never spoken of, but with reference to its obstruction of our operations. We feel conscious of power to make the road, and think we know what it will do for us when made; our chief anxiety, therefore, is to march forward, not in hindrance of the canal, but side by side—if the latter company has the same faith in their improvement and feels the same power to effect it, that we have in ours. The time has passed when questions as to the relative utility of rail roads and canals might be discussed—at least, we believe so, and are content with the election that we have made.

☞ The "Richmond Enquirer" thinks it very "modest" in us to express an opinion, that neither Mr. Clay nor gen. Jackson, nor both together, can break down the "iron arch" of the American System, and "compromise" on the tariff of 1816.

We should have expected the commendation of our old friend. Is he immodest enough to entertain the idea of a "compromise" of what he so solemnly regards constitutional principles? Fie, Mr. Ritchie! If the tariff of 1816 may be submitted to on that ground, where will you stand!—Knee-deep in your own consistency—a muddy location, surely! But that's nothing—*non veniens*.

But these are mere words. No one thinks of a "compromise." A reduction of taxes must be made, but the protecting principle will not, cannot be, abandoned.

☞ Certain resolutions have passed the senate of Georgia, offering a reward of five thousand dollars for the arrest and conviction of persons who shall circulate a small paper published at Boston, called the "Liberator." We regret that state of society which should have deemed a proceeding of this sort necessary to its preservation.

THE CONDITION OF THE LABORING POOR OF ENGLAND. The London Spectator, of Oct. 1, has the following exhibit of the wages and subsistence of a poor family in the south of England.

	£.	s.	d.
One year's wages, at 8s. per week			20 16 0
16 sacks potatoes, at 6s. a sack (or 6d. per peck) being 1½ a peck a day			4 16 0
Two thirds of the same for wife and three children,	3	4	0
Rent (on the average)	3	3	0
A pair of shoes 9s. mending 3s.	0	12	0
Shoes for wife and children,	0	8	0

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Various articles of clothing, including mending 3 15 0
Fuel, 1 0 0

For tools, candles, soap, and numerous other little things, with the occasional *luxury* of bread and bacon, and any drink but water, 3 18 0

— 90 16 0

What a living for a family! This calculation supposes constant employment, and no sickness, and a very small family.

They talk about the public debt and the great number of stockholders having an interest in it, as a safeguard in the government, and bulwark against revolution. What are all these to the vast throng of the *stockholders of human misery*, reduced to the extreme minimum of the means of sustaining life, and who, if one mouthful be subtracted, must die, or take food with the strong hand!

☞ And is it with *working animals*, thus paid and sustained, that southern "philosophers" and philanthropists would have the free people of the United States to contend? Shall they "calculate the value" of our laboring citizens, and measure rights to the enjoyment of "life, liberty and the pursuit of happiness," by gallons of sweat, as extracted from the bodies of *white or black slaves*—mere machines, fastened like cabbages to the soil, and esteemed solely in proportion to their ability to administer to the gratification of a superior or privileged class—though only flesh and blood like themselves? *Yes—YES: there are thousands even in this "land of the free," as it is boastingly called, who have no heart for those who labor—no sympathy for the industrious poor—no pride in the growth of a "virtuous population;" who, resist all accumulations of property by working men, and keep back producers, that the distinction which belongs to their own nobility may not be interfered with—the descendants of pedlars talking about rank, and those of exported paupers or felons, perhaps, gathering to themselves respect because of the virtue of their ancestors!* If we look closely into things, we shall see that such as these constitute the "house of lords" which forbids any "reform" that may place mechanics in the same rank with the owners of slaves. And they have admirably succeeded in *banishing* the virtuous and aspiring poor to new habitations, where idleness is regarded a sin and industry obtains both respectability and wealth. Look at the census, for appalling effects of this nobility-policy, on certain sections of our country—some of which are going into desolation, for want of that redeeming part of the people which is as well the *glory*, as the *shield*, of every enlightened and prosperous and happy community. How would these have laughed, had they heard it said of FRANKLIN, when laboring with his hard and blackened hands at a printing press, that "he would snatch the lightning from heaven, and break the sceptre of a tyrant king;"—how would they have been smugged, if it had been prophesied of SHREVEASE, while mending an old shoe, that he would sign the "great paper," and pledge his honor (a cobbler's honor!) to support its glorious declaration—*aye, and that such pledge would be held valid, though the gibbet was built to punish the cobbler's presumption? Let them look to it, and find out, if in all their own generations since the flood, they have had such a man as was that printer or that cobbler! But there was "no mistake" in these persons—they were the ALMIGHTY'S own noblemen; and extorted that homage which even the contemptible pays to ad-mantime principle and useful talent.*

Bring down the wages of a laboring man in the United States to 8s. sterling, or 175 cents per week (on which he must subsist himself and his family!) and we shall have no need of laws to protect the national industry!!!

There would be nothing worth protecting—so far as such persons were concerned; not even *LIFE* itself, except to *PUNISH* such a degradation of the human kind! A member of the house of representatives of the United States, with reference to the tariff bill of 1824, swore "by heaven," that if that bill should pass, "Georgia would not submit to it." We shall not swear, but venture to say—that the people of the United States will not submit to a living on **POTATOES ONLY**, that England may have "free trade" with us—to feed the distempered imagination, or gratify the *sordid* passions, of an unproductive, labor-hating few. I say "*sordid* passions," for it begins to be manifest that a mean self-interest is at the bottom of the opposition to the protecting principle, aided, perhaps, by "*accusatory politicians*," with "glass eyes," "seeming to see the things they see not!" The musket-bearers of the land—the "*MEN*" who know their rights and know where duty lies, cannot submit to that legislation which shall grind themselves into poverty, that the *wild fancies*, or *avaricious propensities*, of a few of the nation of South Carolina, and some in lower Virginia, may be indulged. What would these think of subsisting themselves, with their wives and children, on 178 cents per week? Why—even a *cruel* master gives better provision and shelter to his black slaves, than this amount of money purchases in England—where provisions are dearer, though labor is cheaper, than with us. And what do these persons mean by "free trade?" It is simply this—that they may export their cotton to England, and exchange it for what is the cheaper labor of that country, though cheapened by the competition of the United States, France, Germany, &c. It has appeared to me, that the whole crop of cotton-manufacturers—(a small part, however, of the cotton-growers, as I shall mention below), are prepared to crawl beneath the throne of England, and say, "O, king live for ever!—be graciously pleased to buy our cotton,—but prohibit, if it seemeth good in thy sight, all other products of American forests, American fields, American workshops, American fisheries, and even, O, king, those of America—sugar, and tobacco and rice plantations—also!" "Do as thou wilt with all these, but let there be 'free trade' between thee and us—our cotton, the product of our slaves, being exchanged with thee for calicoes and negro cloths, the product of thy slaves." And herein, I think, if any one will look seriously into the matter, he will find the whole merit of the question which has been so violently raised in South Carolina! And what is this cotton, after all? It has hardly a greater value, (if so large a one), as its manufacture in the United States, and its culture subsists not one-third so many of the people as its manufacture plentifully feeds. In the gross amount of annual production in the U. States, it stands about as 30 millions of dollars is to 1,200 millions! It has less value than several branches of manufacture, respectively—such as of iron, or wool, or leather; and, compared with the supplies of grain and meats, raised to feed the manufacturers and mechanics, it is a pitiful concern.

But why all this excitement in South Carolina! I ask WHY? This state contains less than a *fortieth* part of the people of the United States, and grows less than a *fifth* part of the whole quantity of cotton! Louisiana has a much deeper interest in this product than South Carolina—but the voice of complaint is not heard from her cotton planters. No doubt, they would like a higher price; but many of the most intelligent of them inform us that they expect a yet reduced one, because of excessive cultivation! but say, they can "make cotton" at six cents, or less, the pound—and still do "pretty well"—and besides, the cotton of Louisiana is worth one cent a pound more than that of South Carolina, her small crop of Sea Island excepted. I have direct information from one of the most wealthy and extensive planters of cotton in Louisiana, (a very correct and careful gentleman too, who attends to all his own business, and adds up his two accounts of cash paid out or received), that his **WHOLE PLANTATION EXPENSES**, even including the abominable "taxes" on cotton bagging and negro cloths, does not exceed three cents per pound on his crop of cotton—and that all which he receives above that price is for interest on capital or personal profit, for the support of

himself and his own proper family. His product is about 300,000 lbs.—then if the price be only 8 cents, he gains 15,000 dollars a year; one third of which gives him 5 per cent. on his capital, and he has 10,000 for his personal profits, not counting his interest on capital as such, though it should be so regarded. Nearly the like facts occur on other states—but this example is sufficient; and, with such things before us, may we not well ask what this wild riot and boisterous elmsor in South Carolina? Let the nullifiers be *consoled* with the certainty that cotton will descend to six cents per lb. annulled by the tariff, and not to be prevented by "free trade"—for the rich lands of Louisiana and Alabama, alone, can produce twice as much cotton as all Europe will receive from us—though our own consumption be deducted from the mighty aggregate. The sun will not retire behind a cloud because gov. Hamilton will it, or gov. Hayne commands it!—nor will Mr. McDuffie talk day-light into darkness; and the **LAWS OF TRADE**, as affected by scarcity and supply, will no more be set aside for the special benefit of the cotton makers of South Carolina, than the sun nullify his benign influence over the world, on the requisition of the honorable gentlemen named.

And what is it these people seek? I have before me a full and precise statement of all the cotton manufactures of England exported in 1850, to all parts of the world, with many important collateral facts. In that year the value, or first cost, of all such manufactures exported to the United States, (it appears by the treasury tables), was nearly six millions of dollars—but the whole quantity of cotton consumed in these manufactures, making a full allowance for waste, was equal to only about 27,000 bales of 355 lbs. each, which, I understand, is nearly the real average weight of the bales exported from the United States—about 9,000,000 lbs. and worth less to us than 900,000 dollars. *What then is the English market for cotton, as dependent on her supplies of cotton goods for the United States? About that of some of the manufacturing villages to the eastward!* We shall soon bring out these facts in a way that will cause them to be felt. Aye, and they will speak—if not with the logic of a nullifier, in all the power of truth. They shall be pushed "home" upon those who desire to reduce a free white man and his family to a subsistence on 178 cents per week, including house-rent and clothing, &c. for of these we are disposed to speak plainly—and we will! We are not of those who would reduce the laboring white men of the United States (who have to bear "the burthen and heat of the day" in peace as well as in war), to a subsistence on potatoes only (and not enough even of them), that England may glory, because that our people are as miserable as her own; and "nullifiers" rejoice, that **LIBERTY** endures no blessings, save on those who live upon the labor of others! So long as the "Father of waters" rolls one drop to the sea, so long may any compromise be rejected with such selfish and proud men;—and if they will go to—*It hixix*, as many (opponents of the majority) did in times past—let them!—for the few shall not expound the constitution and prescribe the law to the many. The majority, in self-preservation, will nullify nullification—though always, we hope, disposed to listen to argument and render justice, having regard to the greater interests to be served, on all questions of expediency; but yielding no principle which shall send the free American superfluous to bed, that white slaves in England may gain more to feed their king and his nobles, his armies of priests, legions of soldiers, and mighty herd of squalid paupers—mere remnants of mankind. The gift of life without the means of living, is—valueless; and we have no feeling with that corruption of mind (as made known by a high dignity of the south), which prefers *black slave labor* to that of *free white men*.—As there, and such as these, "make their bed, so let them lie." If slavery pleases them best—let them have their all of it; it is not our concern. We only ask that they will suffer us to

* Except because of foreign events—such as civil wars in Brazil, India, Egypt, and other cotton growing countries, which may, for a while, diminish supplies and advance prices.

* Say two millions of persons!

prefer ourselves—but we will do that, whether they consent or not; and shall see the end of it—glorious or wretched, as the case may be; fields clothed with the richest verdure of nature, and the busy hum of happy industry resounding—or becoming again the habitation of the fleet and timid deer, and the voice of gladness be uttered only by the owl, as, at midnight, he rejoices in having fixed the home of his young in the former chamber of the wealthy and the proud: *which latter process is already going on at a rapid rate, in parts that might be named, because that free labor has been dishonored there.* The fox shall burrow in the wine vault,—the rattlesnake repose among the rubbish of the green house, and bats take possession of the ball room. IT IS THE WILL OF HEAVEN—AND JUST.

We have heard much from the south about the "monopolists" and "nabob-manufacturers" of the north. It was a favorite saying of president Jackson, that "the tree is known by its fruits," and—so, also, we are told on higher authority. When a traveller gets within the influence of a manufacturing establishment, he instantly discovers a change in every thing about him—the fields are better enclosed and more carefully cultivated—the buildings are in better repair, neat and comfortable; and the very animals, horses, cattle or swine, seem to rejoice in their fitness—though it may only render them more fit for the uses of man; and he will find, on inquiry, that thousands of acres of farming land, within the range of the influence spoken of, bear from 33 $\frac{1}{3}$ to 50, or even 100 per cent. greater value, than equally good lands in other, though neighboring, locations. Such is the fact—let sophists account for it as they please, it is sufficient to us *that it is so.* And, as he more nearly approaches the village or hamlet, the traveller will see many little neat and snug houses, wherein he must believe that there is comfort and peace, with small lots of land attached—the *freeshoot*, perhaps, of a spinner or weaver—fire-man, hammer-man or machinist—or of the carpenter or shoemaker, who there ever finds plentiful employment and prompt pay—and, if he enters, he will see these houses filled with children, whose rosy cheeks and sparkling eyes will excite much pleasure, if envy has not cankered the kindness of his heart. And when arrived in the village or hamlet, he may see hundreds of sober, discreet and temperate and intelligent people, of whom many are young women, whose personal attractions and state of health, he may wish for his own daughters, and whose moral deportment is as correct as theirs. Such is "nabobism" in the north—but what is the "nabobism" of South Carolina? There, as I am informed, the traveller is warned of the desolation and gloom that more closely surrounds him—the ruined huts and squalid poverty that here and there he meets with, for this nabob has consumed every "green thing," and filled the whole range of his influence with *slave machinery*, monopolizing all comforts to his own precious self. What a picture might be drawn of the facts—but I shall refrain. It was thus in France before the revolution—the approaches to a palace were always known by the increased wretchedness of the cottages, and the lessened comforts of their inhabitants. Such are the "fruits" of the different systems! If any prefer the latter, let them enjoy it—it they like ruined houses, and fields planted with scrubby pines and brambles, let them have them, in all abundance; but the liberty that we give to these *must* be granted to others, who prefer comfortable houses and happy faces—valleys covered with crops of golden grain and mountains, whitened by flocks of sheep—all things shewing the fulness and fatness, increased number and growing wealth, of intelligent and *savvy* laboring freemen. There the hand which is hardened by toil is not rejected by those whom its power might smite to the earth; nor is the *young lady* who spins, dishonored, because she does something better than strike the keys of a piano with delicate fingers. She is prized because of her industry—she knows the value of property—and her virtuous and useful life qualifies her for offices in society further than those of "sneaking fools and chronicling small beer." She looks beyond the class in which she is placed—she aims at *higher* movement, and obtains it; and thousands of "factory girls" are already among the most respected and worthy *wives* or *matrons*, in the

land. The *stand-still* policy is not theirs—forward, always forward, is their motion and forward they go.—Those that were poor have become rich—and *those who are rich do not despise labor.* In the last is the "secret worth knowing"—but the "darkness comprehendeth it not." How should it? It is too lazy to investigate—too proud to acknowledge; and so it lies still, and curses that prosperity which it will not strive to obtain—and prays, (it pray it can without labor!) that its own misery may be the portion of others! But the prayers of the wicked shall not prevail.

CASE OF MR. LOWRIE, SECRETARY OF THE SENATE. The practice of more than twenty years in the publication of the REGISTER, will relieve us of the charge of affectation when we say—that it always renders us unhappy, when the rightful exercise of our vocation, or a sense of duty, leads to the insertion of any thing which in speeches private character, or reveals circumstances which, from the nature of them, have a questionable propriety, when offered to the public eye and ear. Some few times in self-defence, or when sinning against in that way, we have, perhaps, overstepped the line of conduct which we had marked out for ourselves—but always a male haste to regain it, wishing never to depart from it again; and this rule for *personal* proceeding we have desired to extend to the contents of our work, generally, so far as *fidelity to the record* would admit—and many thousands of articles which, at the first glance, seemed proper for publication, have been rejected on a little consideration, and the inquiry,—what will they lead to?

But that spirit of inquiry was not on the alert, when we gave place to the justificatory remarks of Mr. Lowrie, in our journal of the proceedings of the senate last week—and simple justice towards Mr. Simpson, so severely assailed, demands that we should go further into the merits of this affair, as stated by the latter party—which we shall do with all possible brevity.

Mr. Simpson had charged Mr. Lowrie with communicating to the president the confidential proceedings of the senate, in relation to appointments to office. In proof of this, he published a letter from Mr. William F. Lewis, 2d auditor of the treasury, and written as he [Mr. L.] said, at the "request" of the president, in which it is said—"He [the president] felt no uneasiness in your situation until the morning of the day your nomination was finally acted on, when he learned from the *secretary of the senate*, for the first time, that you were in danger." And this letter from Mr. Lewis, was "in possession of the senate"—that is, it was *acquired* in the hands of the member who instituted the inquiry, at the time when Mr. Lowrie was permitted to make the remarks which we have published. Mr. Simpson also states, that the president had personally said the same in substance to himself—that he [Mr. S.] saw the "*private journal*" [of the senate] in the hands of the president, who said "it was a *pure party vote*," and that Mr. Simpson had "received the votes of all our friends." Among other things, Mr. S. publishes a letter from Mr. Lowrie to gen. Samuel Smith, dated 11th March 1831, which runs thus—"Hon. S. Smith. Dear Sir—the vote on Stephen Simpson's nomination was yeas 18, noes 25. You voted in the affirmative;" and that this letter or "certificate," as Mr. Simpson calls it, was franked by gen. Smith and sent to him [Simpson].

Many other things are stated by Mr. Simpson, a notice of which would only further lead us into the difficulty we should have avoided by refusing to publish Mr. Lowrie's remarks; but having given them, we could do no less than thus notice the facts on which the charge against him was founded; and his letter to gen. Smith shews, that the rejection of Mr. Lowrie was not so much a matter of course as Mr. Lowrie makes it out to have been, seeing that the venerable senator had, after the rising of congress, asked the official testimony of the secretary, that he [gen. S.] had voted for Mr. Simpson. And here we shall leave the matter to the judgment of our readers.

"THE CHURCH IS IN ERROR," or rather that the church establishment in England has been "*misled*," a freely said in that country, because of the votes of the bishops on the reform bill. The speech of the lord

chancellor, with reference to these votes, was very sarcastic and severe. He lashed the prelates with a whip of scorpions; and even earl Grey, a staunch churchman, in repelling something said by one of the bishops observed, "it little became the garb that he wore"—"that there was not a word of truth in it—that it was a foul calumny." These things have the hearty approbation of the people—their long established hatred of the bench of bishops is highly gratified in such proceedings of distinguished men; and they begin roughly to inquire, what business have the bishops in the hall of legislation? They are called upon to "set their house in order," and we think that they may be regarded fortunate if they escape the infliction of personal injury by the people, resorting to the "law of nature" to redress their wrongs. It is said by one of the orators that "there is no better sword than that which has been made from a ploughshare"—and resort to force is frequently intimated. As to the bishops, they have no hold on the hearts of the people—their dominion is the dominion of the sword—their tathness the tathness of protection under the bayonet. It is said of them, "where shall we find words to express our feelings with regard to the conduct of those mitred enemies of our rights and our happiness, who, rolling in wealth and lodged in princely palaces, by means drawn from our property and labor, and thus exalted as the immaculate guardians of piety and virtue, have, by their vote, stamped the seal of their approval on scenes of drunkenness, fraud, corruption, subornation, and perjury, more flagrant, more shameless, more teeming with abominations, than were those on the actors in which God, by the mouth of Job, pronounced that the congregation of hypocrites should be desolate, and that fire should consume the tabernacles of bribery; more flagrant, more full of abominations than the acts of the apostate sons of Samuel; equal in turpitude and cruelty to the despoilers and destroyers of Naboth; and yielding in point of wickedness to the deeds of none but Judas Iscariot himself?"

The reform bill will pass or revolution ensue. Indeed, reform is revolution, constituted as the government of England is; and this, at least, may be hoped, that the bishops will be driven from the house of lords into their own dioceses—and, compelled to give up their enormous revenues, be required to attend only to concerns called spiritual. "The successors of the apostles are not to be looked for in palaces and purple." "The coil of wealth has corrupted their holy office." "They have bought and sold in the temple," and must be "encouraged out!" Such are the cries against them.

The Glasgow meeting in favor of reform contained 30,000 men. The bishops were called "dumb dogs," "greedy dogs"—"who let their flocks go to the devil!" Thus, at many other places, especially at Manchester. The archbishop of Canterbury was received with a general hiss at Corydon, where he attended as president of the society for propagating the gospel in foreign parts; and when he retired, it was in the midst of fearful yellings of the people, mixed with groans. He seemed much alarmed for his personal safety, and departed at a rapid rate. The bishop of Bath and Wells, retiring from service in the church, was hated, and stones were thrown at him. The bishop of Exeter has been burnt in effigy; and the bishop of Durham received many marks of the popular indignation. These are fair specimens of what is going on. The end is yet to be seen.

SHEEP IN THE UNITED STATES. We publish the following as a specimen of that sort of information which the committee on the growth of wool were desired to collect, for the public instruction. But official returns of the numbers of sheep can be obtained only in a few of the states—and individual exertions must be relied on for all information concerning the product of wool in other states. It is earnestly wished that the gentlemen to whom this subject was committed, will speedily do what they can—that the permanent committee may have the use of the facts collected.

As suggested by Mr. Wingate, we think it probable, (from several inquiries that we have made on the subject, at different times) that the official returns for Maine, and other states, do not nearly shew the real amount of the sheep in them, being subjects of taxation in some; and

those under six months old are not included. Taking these things together, the opinion was given to us at New York, by several intelligent gentlemen, that one-third should be added to such returns, to shew the probable number, in the states referred to.

Portland, state of Maine, Dec. 12, 1831.

SIR—In compliance with the views and wishes of the convention which met at New York, on the 26th of October last, "for the purpose of taking into consideration what proceedings may be necessary for the support and further extension of the American System, as it relates to the various pursuits of domestic industry," I herewith transmit you a report of the number of sheep, grown in wool, &c. in this state.

The following table shews the number of sheep there were in the several counties in 1830, as taken from the returns on file in the office of the secretary of state, viz:

COUNTY.	No. of sheep of the native breed, over 6 months old.	No. of sheep of the Merino or mixed breed, over 6 months old.
York	43,304	1,990
Cumberland	45,281	7,939
Lincoln	58,191	4,843
Hancock	26,508	2,645
Washington	13,774	482
Kennebec	39,654	36,378
Oxford	41,117	15,904
Somerset	49,372	9,069
Penobscot	23,079	6,287
Waldo	35,172	6,090
	375,452	91,342

RECAPITULATION.

Number of native sheep.....375,452

Number of Merino and mixed breed.. 91,342

Total number of sheep in Maine.....466,796

It is estimated there are 1,400,000 pounds of wool produced, annually, in this state.

It appears by the preceding table, that four-fifths of the wool produced was from native sheep. It is, however, believed that there is a much larger number of sheep in Maine than have been returned to the secretary's office—and that the mixed breed are in a much greater proportion to the whole number of sheep, than said returns exhibit. The cost of keeping a sheep is about one dollar and twenty-five cents per annum. I have no knowledge of any wool having been imported into this state for several years—neither have I any means of ascertaining the increase of sheep in Maine since 1823; nor of the flocks or number of sheep kept solely for raising wool for market.

I have never heard it suggested by the manufacturers, or the wool growers, that their interests were diverse.

I am, very respectfully, your obedient servant,

J. WINGATE, jr.

Thomas McGiffin, esq. Washington,
Washington county, Penn.

We shall take this opportunity to add the following account of sheep in Massachusetts and Vermont. In the former, and as we suppose, also in the latter, those less than six months old are not counted, as in Maine.

Sheep in Massachusetts.—A correspondent of the Hingham Gazette states the number of sheep in this state, as contained in returns to the valuation committee, to be as follows:—

Berkshire.....	90,254	Barnstable.....	10,868
Hampshire.....	54,714	Middlesex.....	10,777
Franklin.....	46,273	Essex.....	9,900
Worcester.....	41,100	Nantucket.....	6,124
Hampden.....	34,820	Norfolk.....	3,639
Bristol.....	17,099	Suffolk.....	520
Plymouth.....	14,603		
Dukes.....	11,692	Total.....	360,692

[Massachusetts does not grow much wool—but consumes vast quantities, the product of other states.]

Sheep in Vermont.—The following, we believe, is taken from what is called the "grand list."

Bennington county.....	52,416
Windham.....	53,542
Rutland.....	129,996
Windsor.....	109,787
Addison.....	112,784
Orange.....	78,155
Chittenden.....	55,449
Washington.....	40,856
Caledonia.....	43,748
Franklin.....	41,638
Orleans.....	23,797
Essex.....	6,976
Grand Isle.....	8,636

798,800

BANK OF THE UNITED STATES. The *Richmond Enquirer*, previous to the report of the secretary of the treasury, said—that “the only chance for the bank of the United States, is the two-thirds in both houses of congress.”

The *Telegraph*, with reference to the report of the secretary, asked—“But what will Mr. Ritchie do with the bank? What will he think of this ‘almourable state paper,’ when he learns that a bill to re-charter the bank, the joint production of the treasury and of the bank, had already received the sanction of the president, before the message was transmitted to congress?”

And Mr. Ritchie, having seen that report, said—“It is with much regret that we have seen this suggestion of the secretary of the treasury to re-charter an institution, which is contrary to the federal constitution: and which, as it is at present organized, is subject to such serious objections.”

On which the “*Richmond Whig*” observes, that the words “as at present organized” is a “charming note to creep through!” “As at present organized,” indeed! What has its present or past, or future organization to do with the grand question of its constitutionality?

From the *Globe*. In the “*Telegraph*” of the 12th inst., in an article respecting the bank, it was asked, what will Mr. Ritchie think “when he learns that a bill to re-charter the bank, the joint production of the treasury and of the bank,” had already received the sanction of the president before the message was transmitted to congress? And in the same paper of the 16th, the information of the “*Telegraph*” is stated to have been derived “from a member of congress, who received the fact from the secretary of the treasury in person.”

We are authorised to state that no such bill has ever been produced or projected between the bank and the treasury, nor has any understanding or negotiation for that purpose taken place between the parties, and that neither such a bill nor any project whatever for re-chartering the bank, has, in any manner or at any time, received the sanction of the president.

We are further authorised to state, that neither the allegation in the “*Telegraph*” nor any thing resembling it, in the remotest manner, authorised by any observation of the secretary of the treasury to a member of congress or any other person.

On which the *Telegraph* explained, and said—We are informed that there was a misapprehension on the part of the member of congress, who had a conversation with the secretary of the treasury on the subject of the bank of the United States; and that the secretary, in a conversation in reply to an inquiry of what modification would be acceptable to the president, said that a bill could be prepared which would meet the approbation of all parties. We give this explanation with pleasure, in justice to all parties concerned.

A subsequent number of the *Richmond Enquirer* has the following half-pint of “soft corn”—It is soft enough, indeed.

The Philadelphia “United States Gazette” has “but little doubt, that a bill to renew the charter of the United States bank will be presented to congress early in the session.” The object of this movement is at once avowed, viz: that the bank may avail itself of the peculiar situation of the president. His election comes on next

*The “National Gazette” peremptorily denies any concert—so far as the bank is concerned.

year; and they think, rather than run the risk of encountering the odium, which it is supposed will arise from the rejection of the bill, that he will sign it.—This cunning calculation might be just in most cases and with most men. But, if there be any one quality more remarkable in the character of Andrew Jackson than any other, it is that moral force—that unflinching courage—that indifference to temporary consequences, which have made him what he is. What can it be expected of a man, who has said that he would scarcely turn on his heel to secure his re-election, that he will sign a bill of this description? We, for one, do not believe it. If the bank is guilty of the *indecency* of placing him in this dilemma, we trust that he will have the firmness to tell them so—and return it to congress without his signature.

And so stands the case among the parties. This, however, is manifest, that there is a softened tone about the bank, as many predicted would be shown when congress assembled—though others confidently said that the president would place his re-election on the question. Some evidently wish to postpone it—“until after the election!” though the president has severely pushed a consideration of the subject.

THE WINTER. Because of the sudden stoppage of the navigation, three weeks sooner at New York, and four or five at Baltimore, &c. earlier than usual, an uncommon degree of privation or distress has prevailed. All the cities were exceedingly short of supplies of fuel—and wood and coal have advanced to enormous prices at Boston, New York, Philadelphia, &c. The stock of coal is also exorbitant in the Baltimore market, yet, because of our rail road, oak wood has not exceeded six dollars a cord. Salt was worth 2 dollars a bushel at Albany, though located between the domestic and foreign supply. We learn that it has sold as high as five dollars a bushel in certain parts of the Eastern Shore of Maryland, which depended on water communications—and the stocks of sugar, coffee, spirits, &c. were almost entirely consumed at many places distant from the chief cities, at which are the seats of deposit for such goods.

The wild speculations in the coal lands of Pennsylvania last season, and the ruinous decline of price because of the extra supplies, paralyzed the industry and enterprise of many, and forced them into new employments—and hence, though the quantity of coal brought to market was yet large, it has not nearly equalled the extraordinary demand. Instruction will be obtained from this state of things, and individuals will hereafter lay in their stock of coal in the right season—thus encouraging the miners to supply it, and preventing such deficiency as is now felt so severely. To relieve this temporary inconvenience, a repeal of the duty on foreign coal is loudly called for at New York; the effect of which, if attended to, we apprehend, would be to render almost permanent the evils now complained of, in checking the domestic supplies, because of the uncertainty of the market that would naturally follow a proceeding of the kind.

OLD TIMES. The late respectable and worthy Mr. Claxton, so long a door keeper of the house of representatives of the United States, used to say, that when he was first appointed to that office, it was a part of his business to attend the arrival of the mails at the post office, and carry to the house the letters and papers addressed to the members, which, in general, he could conveniently do in his pockets,—but, sometimes, had to put a few in his hat. We believe now that considerably more than an average of two Dearborn wagon loads of letters and papers are daily received at the house of representatives, and as many sent away.

“CIRCULATION OF VALUES.” Mr. Isaac McKim, of Baltimore, exports, in his own ships, large quantities of American manufactures to the Indian and Pacific oceans, freely using cotton canvas, and receives in return copper ore and pig copper, which he himself manufactures at his great establishment in Baltimore, which is again exchanged for other goods, or goes to pay for various labor, by which the farmer finds a market, and is enabled to come in for his share of the “circulation of values.”

OUR RAIL ROAD. A great quantity of articles are brought to market by this road—among them 300 barrels of flour per day, and many cords of wood, &c. The demand for transportations has exceeded the ability of the company to supply wagons and cars—going beyond their expectations; but this defect will soon be remedied. The frost, which locks up our rivers and canals, seems rather to aid the facilities which this road affords. Enough has already been seen to assure us that no one can "calculate the value" of this road (completed), to Baltimore, and the region of country through which it shall pass, or unite itself to. Twelve new cars, of an improved construction for passengers, are about to be placed on this road, named the Pennsylvania, Patapsco, Longmore, Potomac, Monocacy, Catoctin, Shenandoah, Antietam, Conococheague, Monongahela, Alleghany, and Youghogany.

MR. GIRARD. This venerable citizen died at Philadelphia on the 26th instant. As a philanthropist, merchant and banker, he has long been celebrated. His personal exposure and unflinching efforts to stay the pestilence that prevailed in Philadelphia in 1793,—his incorruptible integrity and uniform regularity in business, as a merchant and banker, for more than fifty years at Philadelphia,—may he said to be known every where, because of the wide range and large amount of his operations; and, of later years, he disbursed mighty sums in substantial or elegant buildings, and, with great freedom, invested money in works of internal improvement. Many, perhaps, wild calculations of his wealth have often been made—but no one could speak understandingly on that subject, except himself: it is probable, however, that he left behind him the largest fortune in America—the whole of which was accumulated by himself.

Mr. Girard was 84 years old. The net value of the estate left behind him is supposed to be at least ten millions of dollars.

Mr. Girard began the business of life as a cabin boy, then the mate of a vessel, next the keeper of a tip-shop, selling drinks and cigars—then passing forward continually gathering money and enlarging his trade—in which his chief happiness seemed to consist; and, though liberal on certain occasions, his disposition seemed always bent upon making and hoarding money. He started his bank with a capital of \$1,200,000, and since increased it to \$5,000,000. This bank will continue its operations, under the direction of several highly respectable gentlemen, to whom he left the charge of it. The distribution of his great wealth, is not stated. He had a brother and sister living at Bordeaux, and his several nephews and nieces in Philadelphia.

DR. COOPER. A resolution was offered in the Legislature of South Carolina, that the board of trustees be requested to remove Dr. Cooper from the presidency of the college, because that his religious tenets, held and propagated, are dangerous to the youth and abhorrent to the feelings of the mass of the community, who are by law bound to advance the money which sustains the college.

This resolution finally assumed a shape directing the trustees to inquire into the matters preferred against President Cooper; who is *ultra* in every thing, and seems never happy except when riding on a whirlwind.

The trustees have held a meeting on the subject, but that a fuller board might be had, postponed the consideration of the case until the meeting in May. The doctor, it is said, will justify himself on constitutional grounds.

TEMPERANCE. The fine ship *Martha*, of Hulsom, capt. Young, lately went to sea on a whaling voyage of 18 months, with experienced officers and a crew of twenty-two fine young men, with only 4 gallons of spirits, and as much of wine, intended exclusively for medical purposes. The extent of the supply was well understood by the officers and men, and the insurance offices deducted 5 per cent. from the premium, because of this arrangement. The usual supply for such a voyage is from 15 to 30 barrels. But the *Martha* took extra quantities of coffee, sugar, tea, &c.

BOSTON. Charles Wells, esq. has been elected mayor of Boston by a large majority. Because of the cast of several parties, this election was one of extraordinary animation.

GEORGIA. Mr. Clayton, displaced by the legislature from his judgeship, has been elected to congress to supply the place of Mr. Lumpkin, elected governor.

FAYETTEVILLE. The "Observer" says—A friend has suggested to us the propriety of stating, that, in addition to the long list of contributions so liberally made for the relief of the sufferers by our great fire, there have been about \$15,000 collected for the rebuilding of the Episcopal and Presbyterian churches; about 1,000 sent to different individuals in town, to be disposed of at their discretion, for the relief of urgent cases of distress, and a large amount of contributions to different individuals from their respective friends abroad. The donations of all kinds probably amount to \$112,000.

TENNESSEE. Certain resolutions which passed the house of representatives of this state, instructing the actuators and requesting the representatives in congress to vote against a renewal of the charter of the bank of the United States, failed in the senate of the state by an equal division of the votes in that body.

THE SMALL POX is committing great ravages among the Creek Indians. A letter from Fort Mitchell, Alabama, says that between 7 and 8,000 of them have been vaccinated at the agency alone; and adds—"Too much praise cannot be given to Dr. Wharton who, in pursuance of his arduous duty, travelled over a great extent of country; and had not only to encounter the fatigue incidental to such a journey, but, in many instances, to combat the prejudices and superstitions of the natives. Many melancholy, and some ludicrous events, took place during the prevalence of the disease: among the former, there is but a too well authenticated instance of an Indian woman murdering her own sick husband, with the hope of escaping infection—poor wretch, she died in a few days after. I knew of another action of a far nobler, but not less tragic cast, and which, in the days of Greece, would, perchance, have been deemed worthy to have been commemorated by a statue. A chief's sister, in the bloom of youth, residing in the interior of the nation, felt herself to be infected, she called her relatives around her, and told them she knew that she had imbibed the disease; she might recover, or, (to use her own expressive language), might soon be called by the *Master of breath*. She knew that it was contagious, and determined not to suffer her life to be prolonged a few days, or as many hours at the hazard of causing death to those dearest to her on earth; "she went and hanged herself." The Indians almost universally abandoned the huts of those who died, and for months shunned all approach to their vicinity."

SLAVES. The legislature of Virginia passed a law in 1823, by which it was enacted that for certain offences, in addition to other punishment, free negroes and mulattoes might be sold for slaves. A mulatto named Baikin was convicted of felony, and sold under the law. He was born in the state and his mother was a free white woman. He passed into the hands of different masters, and was last purchased by a Mr. Slide, in Tennessee. He filed his petition in a circuit court of that state for a recognition of his freedom, and the court held that he was entitled to it, as the section of the act in question was a violation not only of the bill of rights of Virginia, but of that clause in the constitution which prohibits the passage of bills of attainder, &c.

LAW CASE. An important decision of the chancellor refusing an injunction, in the case of J. K. Beckman, vs. the Saratoga and Schenectady rail road company, is published in the Saratoga Sentinel.

The application for an injunction appears to have been made on the ground that the act granting a charter to the rail road company, and authorizing them to take possession of private property, at a fair compensation, for the use of their road,—was unconstitutional; for that, 1st. Rail roads differ from other public improve-

ments, and especially turnpike roads and canals, because travellers cannot use it with their own vehicles. 2d. That the company are not *obliged* to transport passengers or produce, and 3d that the tolls which may be exacted, are unlimited: there were also other grounds of objection. All, however, were overruled by the chancellor who decided that the company had the right to take the land in question.

AN INGENIOUS ROGUE. The Boston Traveller has this paragraph—"An individual has been examined by the grand jury, the present week, for mutilating bank notes and dissecting 14 fifty dollar bills, in such a manner, as of the pieces to make fifteen. The charge was susceptible of proof; but no indictment could be brought for the act, as we have no statute making it penal thus to multiply paper money. A similar case occurred a few years ago, in Maine, before that commonwealth was detached from our own state, and the judge then suggested the introduction in the laws, of a provision touching such transactions. But his counsel passed unheeded: and the present offence will be seized upon by ingenious counterfeiters, to drive a profitable business at this kind of money making, unless our civil legislators affix thereto some heavy penalty."

THE PENSION LIST. The report from the pension office states the number of revolutionary pensioners on the rolls of the department, on the 17th day of October, 1831, to be 11,876, and that of invalid pensioners to be 3,868. Total 14,744.

The amount of warrants issued during the year 1831, for the payment of revolutionary pensioners, is \$1,005,632 78, and for invalid pensioners, \$168,512 10. Total \$1,174,144 88.

The number added to the list during the year, is of revolutionary pensioners 201, of invalid pensioners 67. Total 268.

The number dropped from the list, by death, and the operation of the act of March 3d 1819 is, of revolutionary pensioners, 373; of invalids 72. Total 447.

TEAS. The secretary of the treasury has transmitted to the chairman of the committee on finance of the senate the following statement, exhibiting the quantity of tea imported during the year 1830, after deducting that which was exported, entitled to drawback, and the duties thereon, calculated at the present rates, at the rates payable after the 1st of January, 1832, and at the rates proposed by certain importers.

	Quantity in 1830.	Present duty.
Bobas,	lbs. 148,923	12 cents \$17,871 00
Souchong,	1,607,142	25 .. 401,805 50
Hyson Skin,	1,314,329	28 .. 367,984 12
Hyson and Y. Hyson	2,812,646	40 .. 1,125,058 40
Imperial,	273,246	50 .. 136,623 00
	lbs. 6,156,268	\$2,094,542 02
	New duty when imported in American vessels after 1st January, 1832.	Duty proposed by certain importers.
Bobas,	4 cts. \$5,957 00	2 cts. \$2,978 50
Souchong,	16 .. 160,722 20	3 .. 48,216 66
Hyson Skin,	12 .. 137,707 48	4 .. 52,569 16
Hyson and Y. Hyson	18 .. 506,276 28	6 .. 168,758 76
Imperial,	25 .. 68,311 50	10 .. 27,324 60
	\$898,974 46	\$399,847 68

Treasury department, Dec. 15, 1831.

THE NEW ISLAND. Sometime since we saw an article, headed "A knotty point for diplomatists," in which it was stated that the question of the ownership of the new island, which has lately made its appearance in the Mediterranean, would probably occasion a diplomatic contest between the different powers of Europe. Such, according to a late Paris paper, has turned out to be the

fact. It is stated that this island (the isle of *Seracis* as it is called by the Neapolitans, or *Graham's island*, by the English, after the name of its first discoverer) is at present a bone of warm contention between the kingdom of the Two Sicilies and England.

UPPER CANADA. According to the returns laid before the provincial parliament, the population of Upper Canada is 234,865, as follows:—

Districts.	Population.
Geore	23,352
Home	32,871
Western	9,970
Niagara	21,974
London	26,180
Newcastle	16,498
Midland	36,322
Ottawa	4,456
Bathurst	20,113
Eastern	11,168
Johnstown	21,961
Total,	234,865

FAMILY EXPENSES. It costs the king of England, or rather the people of England, for the royal family's expenses, we mean the king's private household, the following sums per annum.

Bread,	\$12,500
Butter, cheese and eggs,	21,000
Vegetables,	3,000
Butchers' meat,	36,000
Poultry,	10,000
Ale and beer,	12,000
Wax candles,	19,000
Fruit and confectionary,	5,000
Milk and cream,	6,000
Wine, spirits, &c.	37,500
Lamps,	33,000
Washing linen, &c.	12,500
Fuel,	26,000
Linen for shirts, &c.	1,600
Liveries for servants,	37,000
Horses,	16,000
Whips,	800

BRIEF NOTICES

The Blackstone canal has been closed by ice more than five weeks. But it is stated, that the income of the canal has increased so much as to enable the directors to pay the corporation and to make a dividend of profits on the shares this year. The traders had not obtained their full supply of goods previous to the closing of the canal, and there would have been full employ for the boats for a fortnight longer at least. It is at this season of the year, remarks the editor of the Worcester *Ægis*, that the superiority of rail roads over the canals for transportation, is more fully appreciated than at any other. The cars upon the rail road are detained but a short time in consequence of a snow storm, and cold weather alone presents no obstacle to their progress.

Freights are very brisk at Savannah—and three farthings (sterling) per lb. are freely paid for the transportation of cotton to Liverpool.

The Montreal Gazette of the 22d ult. announces that it is the intention of the British government to dispose of the ships of war at the dock yard at Kingston, by public auction on the 17th January next. They consist of the *St Lawrence*, 102; *Kingston*, 56; *Burlington*, 42; and *Montreal*, 24; now moored off the dock yard at Kingston, and of the frames of the *Wolfe* and *Canada*, both on the stocks and pierced for 110 guns each.

A fine lad, the son of a respectable gentleman of Brooklyn, N. York, recently died of the hydrophobia.

The president's message was carried from Providence to Boston, 42 miles, in one hour and fifty-two minutes—eighteen persons and horses were employed.

A bed of iron ore has lately been discovered in New York, fitted to be rendered into the best steel. There are several mines of like quality, and the manufacture of steel will soon be adequate to the demand.

Some very interesting experiments of forcing a way through the ice, by means of steam boats, were recently

made at Baltimore, and several vessels towed out of the harbor and others introduced. The power of these boats, when fitted for such business, is spoken of as truly astonishing. The ice, for about 12 miles, was hard and about 8 inches thick—but the *Independence* broke and sunk it in her track.

History (says the "Village Recorder"), does not furnish a more striking instance of republican soundness of principle and simplicity of manners, than that afforded by Mr. ADAMS, in accepting a seat in congress and taking his place without ostentation.

Upwards of 5000 tons of coal are frozen up in the canals, within 40 or 50 miles of Philadelphia.

The U. S. frigate *Guerriere*, and ship *St. Louis*, have recently arrived from long cruises in the Pacific.

The duty on advertisements during 1830, in England, amounted to nearly \$3 000,000; in Scotland, \$300,000; Ireland, \$461,478, or a total of about three millions seven hundred thousand dollars.

A. Mr. Butler now a resident in Philadelphia, is about 100 years old. He was a soldier at Braddock's defeat, and still walks the streets with much firmness. There is a woman living in the same city, who is 107 years old.

The tribunal of Isoulon, (France), has given a decision on the much vexed question of the marriage of the priesthood. Its decision was in favor of the legality of such marriage. Of course, this cannot affect the laws of the church, as a church, but it involves a great principle, since, prior to the revolution, the marriage of a priest was contrary to the laws of France.

One of the most singular celebrations of the last coronation was that of Mr. Fultone, surgeon, of Congleton, who had a tea party of fifty women, *mothers of eight hundred and thirty-nine children!* twelve of the dames alone having given birth to two hundred and two of the number!! One of them was the mother of *thirty-one children!!!*—*Staffordshire (Eng.) Mercury.*

From some success in raising the ribband cane, the people of Ohio are encouraged to think they can have sugar plantations in that state.

Messrs. Ridge, Martin, Condy and Boudinot, a delegation from the Cherokee, arrived at Washington some days ago.

It is estimated that 14,000 persons, (two-thirds of them from the south and west) travelled from Albany to Saratoga springs in 1831.

Sugar and some molasses has been produced in Scriven county, Georgia. A lot of twelve acres yielded seventy-six barrels of fine and eight barrels of coarse sugar, besides one and a half hhd. of syrup.

China, (says the U. States Gazette), has received annually from British India, 300,000 bales of raw cotton. Should the recent misunderstanding between the Hong merchants and the English factories grow into any permanent rupture, there may be a demand, even in that distant region, for the staple of South Carolina, which might warrant the cost of conveyance as before.

A man, named James Sanders, is now living near Rockingham court house, S. Carolina, whose age is one hundred and seventeen years. He has nine children living—the oldest is upwards of 80, the youngest 45 years of age. He formerly used spectacles, but now reads the smallest print without glasses, and his hair, that had long been white, has turned to a dark color. He is in good health, and takes his walks freely.

Pennsylvania is now represented in the senate of the United States, by two brothers-in-law, Messrs. Wilkins and Dallas.

The New Orleans Courier of a late date, says:—"Mr. Bertoulin, one of those gallant Frenchmen who came from Europe to this country to lend their assistance in the glorious war of our independence, yesterday morning, terminated his long and honorable career. This morning a detachment of 50 U. S. troops, stationed at this place, under the command of captain Allen, the staff of the legion, and a large concourse of his fellow citizens, followed the remains of that worthy man to his last abode."

Montfort Stokes has been re-elected governor of N. Carolina, by the legislature of that state. For Stokes 98—Spaight 83.

The official majority of gen. Ashley over Mr. Ellis for congress, from the state of Missouri, is 209.

The Pottsville Journal of Dec. 17, says—We understand that several wagons laden with coal, set out for Philadelphia during the week, anticipating return loads of merchandise. The transportation of our mineral by land to such a distance is, at present, a novel occurrence. Price of transportation, \$7 per ton.

In consequence of the scarcity of salt in Zanesville, and the difficulty of procuring supplies since the closing up of the river by ice, it has risen within a few days from 37½ to 62½ cts. per bushel by the barrel, and retail in proportion. Wheat is worth 56½ cents per bushel.

FOREIGN NEWS.

Arrivals at New York bring Liverpool dates to the 25th November, inclusive.

ENGLAND.

Considerable excitement prevailed in England on account of a report that the cholera had been introduced into Sunderland from Riga by a seaman's chest, on opening which an old woman had taken the contagion and died, and that six other cases had supervened, five of which had proved fatal. The alarm seems however to have originated without just grounds, as the cases of cholera which occurred were discovered to have been of domestic and not of foreign origin. The physicians who attended the most alarming case state, that extreme cases of English cholera have occasionally proved fatal even in a shorter time than that of their patient.

Tranquility had been restored at Bristol. The total damage done by the late riots in that city is estimated at £500,000 sterling. The loss of lives is less than had been imagined—the total killed and wounded does not exceed 94. The return of killed and wounded, as far as ascertained is, burnt 6; shot, 2; excessive drinking, 2; sword cuts, 2; total, 12; wounded from shots, 10; sword cuts, 48; excessive drinking 2; other causes, 54; total, 94. The wounded are in general doing well.

One hundred and eighty prisoners had been committed, 50 of whom were capitally charged with rioting and burning. Constables were at that time flocking in with prisoners, and the magistrates were sitting in different rooms hearing the charges against them.

The citizens of Bristol have entered into a liberal subscription for the immediate relief of the sufferers, many of whom have lost the whole of their property, and were not even in possession of a change of linen.

A meeting had been held at which a series of resolutions were passed, addressed to the home secretary, lord Melbourne, praying an inquiry into the conduct of the magistracy of the city, and of colonel Brereton, the commanding officer of the district.

Other disturbances had taken place at Macclesfield, Coventry, Preston and Worcester. At the latter place two of the rioters were taken and committed to prison; but, on the request of the mob, were released by the police, when the rioters became more furious, and were not dispersed until after the reading of the riot act by the mayor, aided by a troop of the 27th Hussars, who, on being pelted with stones, charged on the mob, using the flat part of their sabres freely on the backs of their assailants, 29 of whom were taken prisoners.

A meeting which had been called at White Conduit Fields had caused serious apprehensions; but owing to the decisive steps of the government the meeting was prevented. The bank of England had been strongly guarded.

At the instance of his majesty, in privy council, the archbishop of Canterbury had prepared the form of prayer to Almighty God, to be used in churches during the continuance of danger from the cholera. A large hospital is to be fitted up for the reception of patients should the cholera reach London. In consequence of the board of physicians having recommended the use of camphor, that article had advanced from £4 15 to £14.

All the vessels fitting out for the expedition of Don Pedro, at Deal and Gravesend, had been seized by order of the British government.

Mr. Van Buren transacted business at the foreign office on the 5th November.

Dublin, Nov. 5.—Mr. O'Connell entered the court of chancery to-day at half-past twelve o'clock, with a

silk gown and full bottomed wig, and stood at the side bar. The lord chancellor said—"Mr. O'Connell, his majesty has been pleased to issue his letters patent authorising you to take precedence next after the attorney and solicitor general, and the two senior sergeants. You will therefore take your place accordingly." Mr. O'Connell then bowed and proceeded to take his seat above serjeant O'Loghlen, and next to the solicitor general, who congratulated him, and shook him by the hand.

FRANCE.

The finance projects of the ministers had been carried in the chamber of peers by a vote of 67 to 8. The peerage bill was to have been carried to the chamber of peers on the 7th Nov. and from 30 to 60 new peers were to be made. The idea of colonizing Algiers had been abandoned. The Muselman inhabitants of which were said to be greatly incensed against the French troops, in consequence of the sanctity of their mosques having been violated by them.

PORTUGAL.

Don Miguel had become so alarmed by the apprehension of the approach of Don Pedro's expedition, that he suspended the execution of the sentence of death upon 37 soldiers, who had proclaimed Donna Maria.

BELGIUM AND HOLLAND.

The senate had authorised the king of Belgium to sign the treaty of peace as proposed by the five powers; but the people were dissatisfied, and it was thought that Leopold would hesitate before he gave it his signature. That article in the treaty which authorises the Belgians to dig canals from Antwerp to the Rhine, was not relished by the king of Holland.

GREECE.

The assassination of the president of Greece was confirmed, and had caused a general thrill of horror throughout the country, as assassinations had not before been heard of in Greece since the revolution.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

December 23. The vice president communicated a letter from Ebenezer H. Cummins, transmitting tabular statements shewing the result of any ratio of representation from 48,000 to 55,000 souls for each representative, under the last census; and

On motion of Mr. Dickerson, 10,000 copies thereof were ordered to be printed for the use of the senate.

Mr. Murcy, from the committee on the judiciary, reported a bill entitled "an act to provide for the reports of the decisions of the supreme court of the United States."

Various leaves to bring in bills for the relief of private individuals were granted, and bills of a similar character reported.

The resolution of Mr. Holmes, relative to causing a map to be made of the disputed north eastern boundary, shewing the territory in dispute, and exhibiting the marks, monuments, natural and artificial, and to cause lithographic impressions thereof to be executed for the use of the senate, was taken up and agreed to.

On motion of Mr. Kane, it was resolved to instruct the committee on public lands to inquire into the expediency of amending the act granting the right of pre-emption to settlers on the public lands.

On motion of Mr. Hendricks, it was Resolved, That the committee on commerce be instructed to inquire into the expediency of making an appropriation to improve the navigation of the two White rivers in the state of Indiana, from the junction with the Wabash as high up as they may be considered navigable; and also that the same committee be instructed to inquire into the expediency of authorizing a survey of the mouth of Trail creek, at the southern end of lake Michigan.

The engrossed bill to enable the president to extinguish Indian titles within the state of Indiana, was read the third time.

The senate then adjourned.

December 27. Mr. Prellinghuysen, of New Jersey, appeared and took his seat.

On motion of Mr. Watkins, so much of the president's message as relates to insolvent debtors, was referred to the judiciary committee.

A great many memorials from private individuals were presented and referred.

Mr. Benton reported the bill to authorise the mounting and equipping a part of the army of the U. States, and the bill providing for the armament of the fortifications.

On motion of Mr. Johnston, the committee on commerce were instructed to inquire into the expediency of improving the harbor of port Ponchartrain.

On motion of Mr. Buckner, the committee on commerce were instructed to inquire into the expediency of establishing a national hospital at the town of Cape Girardeau, in the state of Missouri.

On motion of Mr. Smith, the committee of commerce were instructed to inquire into the expediency of granting an appropriation to the mayor and corporation of Baltimore, to assist them in the preservation of the navigation of the port and harbor of that city.

On motion of Mr. Buckner, the committee on roads and canals were instructed to inquire into the expediency of improving the navigation of the river St. Francois.

On motion of Mr. Hanna, the committee of roads and canals were instructed to inquire into the expediency of making an appropriation to be expended on the Cumberland road in the state of Indiana.

On motion of Mr. Hendricks, the committee on public lands were instructed to inquire into the expediency of authorising the issuing scrip receivable in the payment of public lands for moneys forfeited in land purchases, in all cases not heretofore provided for by law.

On motion of Mr. Holmes, the secretary of the treasury was directed to communicate to the senate, copies of all the instructions to collectors of the customs and their officers, in respect to the British colonial trade, given or issued since the proclamation of the president of the 5th October, 1830.

Mr. Robinson, reported a bill to authorise the state of Illinois to sell certain portions of saline lands in that state.

Mr. King reported a bill supplementary to the law granting pre-emption rights to settlers on public lands.

The resolution of Mr. Hendricks, relative to the improvement of the navigation of the two White rivers, was agreed to.

The resolution of Mr. Benton relative to repealing the resolution adopted on the 4th May, 1830, directing the secretary to obtain extra copies of documents printed for the house of representatives, was taken up and agreed to.

The bill to revive and continue in force an act, entitled "an act to provide for reports of the decisions of the supreme court of the United States;" and

The bill supplementary to the several laws for the sale of public lands, were severally read the third time, and ordered to be engrossed.

Agreeably to the order of the day, the senate resumed, in committee of the whole, the bill supplementary to the act "for the relief of certain surviving officers and soldiers of the revolution;" and

On motion of Mr. Hayne, Ordered, That the further consideration thereof be postponed to, and made the order of the day for Wednesday week.

After the consideration of executive business, the Senate adjourned.

December 28. Several petitions were presented.

Mr. Hanna reported a bill authorising the establishment of an additional land office in the state of Indiana, read and ordered to a second reading.

Mr. King obtained leave to bring in a bill to lay out and construct a road from Lime creek to the Chatahoocche, and for repairing the road on which the mail is now transported.

Messrs. Robbins, Prellinghuysen and Poindexter were appointed the library committee on the part of the senate.

The resolutions moved yesterday by Messrs. Holmes, Hendricks, Hanna, Buckner, Smith and Johnston, were severally taken up and agreed to; also the one submitted by Mr. Buckner, on the 23d instant, instituting an inquiry into the situation of unconfirmed land claims in Missouri, and for providing for their adjustment.

The bill to revive and continue in force an act, entitled "an act to provide for the reports of the decisions of the supreme court of the United States;" and

The bill supplementary to the several laws for the sale of public lands, were severally read the third time and passed.

The senate resumed the consideration of the bill to authorize the mounting and equipment of a part of the army of the United States.

Mr. *Benton* explained the object and expediency of the proposed measure, and moved to fill the blank for the appropriation with 25,000 dollars; which, after some inquiries by Mr. *Smith*, and reply by Mr. *Benton*, was agreed to, and the bill was ordered to be engrossed for a third reading.

The senate next took up the bill making an appropriation of 200,000 dollars for carrying on the armament of fortifications.

[The annual appropriation has heretofore been 100,000 dollars. The present bill was introduced by Mr. *Smith*, on leave, and was referred to the committee on military affairs, which committee reported the bill with a recommendation that it be rejected. Accordingly, when the bill came up to-day—]

Mr. *Benton*, (chairman of the military committee) moved its indefinite postponement. He stated (in the course of the debate that ensued) that the committee had submitted the bill to the secretary of war, who returned it, with the intimation that the executive and the department made no objection to its passage, but declined recommending it.

A debate of some length and interest ensued on the bill, in which it was strenuously advocated by Mr. *Smith*, and was opposed by Mr. *Hayne*, who, with the view of giving the greatest emphasis to the decision of the question, and of placing the precise sense of the senate on record, called for the yeas and nays.

The question being taken on the indefinite postponement, it was decided in the affirmative as follows:

YEAS—Messrs. Bell, Benton, Brown, Buckner, Clay, Dickerson, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Hanin, Hayne, Hill, Holmes, Kane, Mangum, Marcy, Miller, Moore, Prentiss, Robbins, Robinson, Ruggles, Symour, Tomlinson, Troup, Tyler, White, Wilkins—31.

NAYS—Messrs. Bibb, Dallas, Dudley, Johnston, Knight, Silsbee, Smith—7.

So the bill was REJECTED.

The bill to authorize the state of Illinois to sell 20,000 acres of the saline lands in said state—

The bill supplementary to an act to grant pre-emption rights to settlers on public lands, were severally considered in committee of the whole, and ordered to be engrossed and read a third time.

Mr. *Robbins* submitted the following resolutions:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of establishing a naval depot and port of expedition and rendezvous within the waters of the Naragansett bay.

Resolved, That so much of the report of the board of navy commissioners, made October 19th, 1829, and of the report of the secretary of the navy, made December 6th, 1830, as relates to the establishment of a depot in said waters, be referred to said committee.

After the consideration of executive business, the senate adjourned.

December 29. Among the petitions presented this day, was one by Mr. *Frelinghuysen* of sundry citizens of the state of New Jersey, who were officers and privates of the state troops, volunteers, and militia, of the revolutionary war, praying that such remuneration may be made to them for their toils, privations, and perils, in that war, as will afford the means of sustenance for the remainder of their lives.

Mr. *Foot* presented a joint resolution of the general assembly of the state of Connecticut, instructing the senators, and requesting the representatives from that state in congress, to use their exertions to procure the passage of a law for the more perfect organization of the militia of the several states.

Agreeably to notice given, Mr. *Benton* asked and obtained leave to bring in a bill to abolish the duty on alum salt; which was ordered to a second reading.

The resolution offered yesterday, by Messrs. *Prentiss* and *Robbins*, were severally taken up and agreed to. The bill to authorize the mounting and equipment of a part of the army of the United States:

The bill to authorize the state of Illinois to sell 20,000 acres of the saline lands in said state:

The bill supplementary to an act to grant pre-emption rights to settlers on public lands, were severally read a third time and passed.

As were some other bills of a local or private character.

Adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Dec 23. Mr. *Hoffman*, from the committee on naval affairs, reported sundry bills, viz:

A bill to provide for the payment of arrearages in the naval service, chargeable to the enumerated contingent, prior to the 1st of February, 1832;

A bill to establish ropewalks for the use of the navy of the United States;

A bill regulating the enlistment of seamen, ordinary seamen, landsmen and boys, in the naval service of the United States;

A bill to provide iron tanks for the use of the navy of the United States;

A bill to provide for constructing two steam batteries;

A bill to provide for completing the removal and erection of the naval monument;

A bill to provide for paying certain arrearages for surveys made by naval officers;

Which several bills were twice read, and committed to the committee of the whole house on the state of the union.

Several bills of a private nature were reported and disposed of, and among these one for the relief of the representatives of David Dardin, [owner of the horse *Romulus*.]

Mr. *Drayton*, from the committee on military affairs, reported three bills, viz:

A bill providing for the organization of the ordnance department;

A bill for the organization of the topographical engineers;

A bill for the gradual increase of the corps of engineers;

Which bills were severally twice read and committed to the committee of the whole house on the state of the union.

Mr. *Carson* reported a bill to compensate Susan Decatur, widow and legal representative of commodore Stephen Decatur, deceased, and others, which was twice read and made the order of the day for to-morrow.

Mr. *Hickiffe* reported a bill to establish a land office in the territory of Michigan—twice read and made the order of the day for to-morrow.

Mr. *Wickliffe* also reported a bill concerning land claims in Florida—twice read and ordered to be engrossed for a third reading on Monday.

Mr. *Verplanck*, from the committee of ways and means, reported a bill remitting a part of the duties on a cargo imported in the brig *Liberator*—twice read and made the order of the day for to-morrow.

Mr. *Washington* reported a bill authorising the Chesapeake and Ohio canal company to construct a turnpike road on the border of the canal from Georgetown to the Little Falls bridge—twice read and committed to to-morrow.

Mr. *McDuffie*, from the committee of ways and means, reported a bill making appropriations for the support of government for the year 1832; which was twice read, and committed to the committee of the whole house on the state of the union.

Various bills for the adjustment of private claims were reported, read, and referred.

Mr. *Beardley* reported a bill altering the time of holding the spring term of the circuit court of the United States for the southern district of New York—twice read and ordered to be engrossed for a third reading on Monday.

Mr. *Polk*, from the committee on the fifth census, and the appointment of representatives under it, reported the following resolution; which, by consent of the house, was immediately taken into consideration and adopted, viz:

Resolved, That the secretary of state be directed to communicate to this house a statement, showing the aggregate number of persons in each of the states, according to the fifth census, and distinguishing the slave from the free population in each state,

as soon as he shall have noted and corrected the clerical errors in the returns of the marshals and their assistants, as required by the act of the 3d of February, 1851, entitled, "an act to amend the act for taking the fifth census."

Engrossed bills

For the adjustment and settlement of the claims of South Carolina against the United States.

For the relief of the president, directors, and company of the Miami exporting company, and 26 others for the settlement of private claims, were severally read a third time and passed, and sent to the senate for concurrence.

The bill for the relief of the heirs of general Hull was negatived by a large majority. The bill contemplated the payment to the heirs of general Hull, the arrears of pay to which that officer was entitled as major general of the army of the United States and governor of Michigan, from the 16th of August, 1812, the date of the surrender of Detroit, to the 1st of February, 1813, when he was arrested.

By unanimous consent, Mr. Vance offered the following resolution, which was adopted, viz:

Resolved, That the committee on military affairs be directed to inquire into the expediency of discontinuing the employment of an assistant engineer, by the repeal of a joint resolution, approved 29th of April, 1816, authorizing the president to employ a skillful assistant in that corps of the army of the United States.

Mr. Hoffman then moved that when the house adjourns to-day, it will adjourn to meet again on Tuesday next, which being agreed to,

The house adjourned.

Tuesday, Dec. 27. Mr. Wickliffe reported a bill explanatory of the act for the relief of the officers and soldiers of the Virginia line and navy, and of the continental army during the revolution, approved May 30, 1830.

Mr. Drayton made a report on desertions in the army, accompanied by a bill to improve the condition of the non-commissioned officers and privates of the army of the United States, and to prevent desertion—twice read and made the order of the day for to-morrow.

Mr. Thompson, of Georgia, from the committee on Indian affairs, to which the subject was referred on the 12th inst. made a report, accompanied by a bill, to carry into effect the fourth article of the treaty of the 8th of January, 1821, between the United States and the Creek nation of Indians, so far as relates to the claims of citizens of Georgia against said Indians for injury done prior to the passage of the act regulating intercourse with Indian tribes; which bill was twice read, and made the order of the day for to-morrow.

Mr. McDuffie reported a bill concerning the accounts of the treasurer of the United States—twice read and made the order of the day for to-morrow.

Mr. Barringer reported a bill for organizing the militia of the District of Columbia.

The bill for the relief of the heirs of the late general Hull, was reconsidered and laid on the table.

The bill to authorise the president to extinguish the Indian title to lands within the states of Indiana, Illinois and Michigan, was considered and referred to the committee on Indian affairs.

The speaker laid before the house a letter from the 3d auditor of the treasury, accompanied by the papers called for by the house on the 15th instant, on the motion of Mr. Howard, in relation to the claims of the owners of vessels sunk for the defence of Baltimore in the late war with Great Britain; which letter and accompanying papers were referred to the committee on claims.

The house resumed the consideration of the resolution, offered by Mr. Blair, of Tenn. on Thursday last, proposing the appointment of a committee "to inquire into the expediency of distributing (according to population) the proceeds of the public lands amongst the several states and territories—when made, shall be expended on works of internal improvement, or to reimburse moneys already expended on such works, as the legislature of the respective states shall direct"—The question being on the amendment proposed by Mr. Hunt, of Vermont, who had moved to insert, after the words "expended on such works," the words "for purposes of education."

Mr. Vinton, of Ohio, suggested a substitute for the resolution, which he thought would meet the views both of Mr. Blair and Mr. Hunt, and which, being read, both gentlemen acceded to it. The substitute was as follows:

"That a committee be appointed to inquire into the expediency of providing an uniform system of gradually closing up the sale of the public lands now in market, or that may be hereafter brought into market; Also, to take into consideration the expediency of appropriating the proceeds of the public lands after the payment of the public debt to the promotion of some national object or objects."

This being accepted by Mr. Blair as a substitute for his resolution—

Mr. Duncan, of Illinois, moved to strike out all of the resolution after the word *resolved*, and insert the following:

"That the committee on the public lands be instructed to inquire into the expediency of appropriating one-third of the proceeds of the future sales of the public lands, to objects of internal improvement within the states in which said lands are sold, and that the same committee inquire into the expediency of appropriating (after the national debt is paid), one-third of the proceeds of said land sales, for the construction of roads and canals, from the Mississippi, the Ohio, the lakes, and the St. Lawrence, to the commercial cities of the Atlantic; and of appropriating the remaining third of said proceeds for purposes of education; the works or objects of improvements to be designated or approved by congress, and the money to be expended under the authority of the states in which said improvements are made."

Mr. Carson, of N. C. made a few remarks to show that the acts of the several states ceding the lands now owned by the United States, had immovably settled the manner of distributing among the several states the proceeds from them (after the payment of the public debt), and that congress could not, by any legislation, depart from that mode.

Mr. Mercer went into an argument, and referred to the acts of cession, also to show that the states which ceded the lands to the United States had prescribed the application of the proceeds from their sale, after the payment of the public debt, the objects and mode of which application he explained at large. He had, however, no objection to the second branch of the proposed inquiry; but strenuously opposed any new system of land laws, or new mode of disposing of the public domain, the present being, in his opinion, the wisest that had ever been, or could be, devised by the wisdom of man—the beneficial effects of which he briefly pointed out, in contrast with the evils which prevailed in those of the new states east of the Ohio, where a different system had been pursued.

When Mr. M. concluded his remarks, Mr. Blair, of Tenn. rose, but the hour for considering resolutions had expired, and the debate was suspended.

Mr. Mitchell of S. C. laid the following resolution upon the table for consideration to-morrow:

Resolved, That the secretary of the treasury be directed to inquire of the collectors of the ports of Boston, New York, Philadelphia, Baltimore and Charleston what condemnations of smuggled goods, and what suits had occurred between the collectors of those ports and the citizens of the United States, or the subjects of any foreign power, in relation to frauds practiced on the revenue laws, specifying the amount of property involved, the date, the names of the parties, and the decrees of the courts in each case from the 1st of January, 1820, to the 1st of September, 1851.

On motion of Mr. Stewart it was

Resolved, That the committee of internal improvement be instructed to inquire into the expediency of providing for the continuation of the improvement of the steamboat navigation of the waters of the Ohio and Mississippi, by extending the same up the Monongahela river to such point as they may deem practicable and expedient.

Mr. Sevier laid the following resolution on the table for consideration to-morrow:

Resolved, That the president of the United States be requested to communicate to this house, (if it be not incompatible with the public interest), what measures have been taken, (if any), to ascertain and establish, permanently, the boundary line between the territory of Arkansas and the Mexican government.

On motion of Mr. Hogan, it was

Resolved, That the committee on commerce be instructed to inquire into the expediency of providing for the facilitation of intercourse between the United States and the neighboring provinces of Great Britain, by land and inland navigation, and for preventing violations of the revenue laws on the inland frontier.

Mr. Bouldin moved the following preamble and resolution:

Whereas, by the laws of the United States, ad valorem duties are laid on various articles of import, but the per centum duty required is not laid on the cost or value at the place of production, but on that cost with all charges, (except insurance), added; and with 10 or 30 per cent. added to that aggregate:

And whereas, also, various minimum values or prices are affixed by law; (by which to ascertain the amount of duties chargeable on the same goods), differing widely from the cost thereof; so that from the law itself the rate of duty to be paid on the importation of any given article, subject to ad valorem duties, cannot be ascertained:—

Resolved, therefore, that the committee of commerce be instructed to inquire into the practical effect of these laws, and report to the house the actual per centum on the prime cost, which is imposed by them. That they also inquire how far these duties are, in effect, prohibitory, acting both as distinctly as they can, the various descriptions of imports that are thus interdicted our shores, and, so far as may be practicable, to state the costs and charges, at which such interdicted goods might be imported.

The preamble and resolution were laid on the table. Mr. *Cumbrereng* laid the following resolution on the table for consideration to-morrow:

Resolved, That the secretary of the treasury be directed to furnish this house with an annual statement of the net revenue collected on woollens and cottons; on each description of iron paying a specific duty; on all manufactures of iron paying an ad valorem duty; on brown, white and refined sugar, discriminating between each kind; and on hemp and cordage, from 30th September, 1794, to 30th September, 1831, together with a statement of the net revenue annually collected for the last ten years, ending 30th September, 1831, on the manufactures of silk, of flax and of hemp; on wool, indigo, wines, spirits, molasses, teas, coffee, fruit, spices, salt and coal.

Adjourned.

Wednesday, Dec. 28. Mr. *Wickliffe* reported a bill to give effect actual settlers upon the public lands, the right of pre-emption on the purchase of quarter sections, at one dollar and twenty-five cents per acre—twice read and committed.

Mr. *Hubbard*, from the committee on revolutionary pensions, reported a bill to amend the act entitled "an act for the relief of certain surviving officers and soldiers of the army of the revolution;" which was twice read and committed.

Mr. *Hubbard*, from the same committee, reported a bill in addition to an act entitled "an act to provide for certain persons engaged in the land and naval service of the United States in the revolutionary war," approved March 18, 1818; which was twice read and committed.

Mr. *Vinton*, from the committee on internal improvements, reported a bill to authorise the surveying and laying out of a road from Detroit, westwardly, by way of Sciawasse, to the mouth of Grand river of lake Michigan, in the Michigan territory; which was twice read and committed.

Mr. *Branch*, from the committee on naval affairs, reported a bill to provide for the allowance of the travelling expenses of naval officers, in certain cases; which was twice read and committed.

Various bills for the adjustment of private claims were reported, read and referred.

Mr. *Bell*, from the committee on Indian affairs, reported a bill authorising the secretary of war to pay to the Seneca tribe of Indians the balance of an annuity of six thousand dollars usually paid to said Indians, and remaining unpaid for the year 1829; which was twice read and committed.

Mr. *Bell*, from the same committee, reported the bill from the senate "to enable the president of the United States to extinguish the Indian title within the states of Indiana and Illinois, and territory of Michigan," without amendment, and it was committed.

Mr. *McDuffie*, from the committee of ways and means, reported a bill making appropriations for the support of the army for the year 1832; which was twice read and committed.

Mr. *Leitch*, from the committee on internal improvement, reported a bill to authorise the surveying and making a road from La Plaisance bay, in the territory of Michigan, to intersect the Chicago road; which was twice read and committed.

The house then resumed the consideration of the resolution moved by Mr. *Blair*, of Tenn. on Thursday last, as modified yesterday, at the suggestion of Mr. *Vinton*, the question being on the amendment submitted by Mr. *Duncan*.

A debate ensued thereon in which Messrs. *Duncan*, *McDuffie* and *Root* took part. The hour allowed to

such discussions having now elapsed, an unsuccessful attempt was made to suspend the rules so the debate was here arrested.

The bill making an appropriation for the purpose of satisfying the claims of the state of South Carolina, for monies advanced by that state during the late war, in the purchase of military stores, and the payment of the militia called on for the defence of the state, came up as the special order of the day for this day; and the house went into a committee of the whole, Mr. *Davis*, of Mass. in the chair, on that bill.

The bill having been read,

Mr. *Drayton*, who had reported it from the committee on military affairs, called for the reading of the report of that committee, accompanying the bill; and it was read accordingly.

He then moved that the committee rise and report the bill to the house—

Whereupon,

Mr. *McCoy* called for the reading of a report made last session, by the committee of claims, (of which he was then chairman), in opposition to the claim; and it was read.

The committee then rose and reported the bill, which was amended by the insertion of the following item:

Fifth. The sum of 7,500 for blankets purchased by the state for the use of a portion of her militia, whilst in the service of the United States.

Messrs. *Williams*, of N. C. *Drayton*, *Ward* and *McCoy* made some remarks, and before Mr. *McCoy* had concluded, he made a motion for adjournment—which motion succeeding, the house adjourned.

Thursday, Dec. 29. Mr. *William H. Ashley*, of Mo. appeared to-day, was qualified, and took his seat.

A message from the president, concerning the boundary line between Georgia and Florida, was received, read, and ordered to be printed.

Many reports on private claims were made by different committees.

The debate on the resolution offered by Mr. *Hunt*, with the proposed amendments thereto, concerning the receipts from the public lands, was further considered, and Mr. *Root* delivered his opinions, at length, on the subject—but the hour expired before the debate was concluded.

The speaker laid before the house certain depositions in relation to the election of *William Fitzgerald*, returned to serve as a member of the house of representatives, from the district in the state of Tennessee lately represented by *David Crockett*; who contests the seat of the sitting member; which were referred to the committee of elections.

The remainder of the day was occupied with discussing the bill relative to the claims of South Carolina for military services and supplies, as noticed above. The debate was not finished when the house adjourned.

MASONIC.

From the *Franklin, (Pa.) Telegraph*.

At a special meeting of the members of Geo. Washington lodge and George Washington royal arch chapter, at their hall, in Chambersburg, Pennsylvania, on the 30th of November, 1831, the following resolution and declarations were adopted, ordered to be entered on their minutes, and published.

Resolved, That the charters of George Washington lodge No. 143, and of George Washington chapter No. 133, be returned to their parent institutions on the 27th of December next, and that the said lodge and chapter thenceforth be discontinued.

The members of George Washington lodge and Geo. Washington chapter, in dissolving their associations, have been actuated by a proper regard for the opinions of a portion of their fellow citizens. That there are many who believe that the institution is dangerous to society, and who apprehend the most serious consequences if it is continued, is undeniable—while there are some who avail themselves of this honest opinion to advance their private views. We do not complain of this, for so it always has been and ever will be; but we do desire, as far as we can, by removing the cause, to remove with it the injurious opinion that prevails against the masonic

fraternity. In thus yielding deference to the community around us, we ask leave to say, that freemasonry, as we have known it, and seen it practised, contains no obligation or injunction inconsistent with the most full discharge of our social, political, civil and religious duties—and that we have never known it perverted or prostituted for electioneering purposes, or the political advancement of a member of the order. Conformity with its precepts, will, as we think, promote and aid the cause of charity, morals and religion; but at the same time we do not wish to conceal the fact, that unworthy men have become members of it, and probably abused it—to say so is only to assert that which is true of every association under the sun.

If the greatest crime has been committed in a neighboring state under the name, and by the prostitution of masonry to the most fell purposes, (and perhaps it has), no member of the community in which we live, condemn us with more just indignation and severity than does each of us, and every mason we have ever heard mention of, the guilty men who perpetrated it—nor would the hand of punishment be more heavily laid upon them by any of our fellow citizens than by ourselves. We ask that we may not be contaminated by guilt, of which it is impossible we could have been personally partakers, and which we solemnly aver has not, and could not reach us by any masonic duty, obligation, injunction or connexion, with which we are acquainted. It masonry then is what it is charged to be by those opposed to it, we can only repeat, it is not the masonry we have been taught, nor that which we have communicated to others. We know no duty which requires of us to continue an association, when such continuance may distract society—and separate those who ought to be friends; nor are we aware of any beneficial results likely to flow from an adherence to the order, that will not be more than counterbalanced by the excitement which such an adherence may perpetuate.

In this spirit we have come to the determination expressed in the foregoing resolution."

IMPORTANT CORRESPONDENCE!

Mr. Samuel Gwin, being transferred from a clerkship in the general post office to the place of register of the land office in Mississippi, caused the following publication in many newspapers.

Hon. Wm. T. Barry—Sir, you will please to receive this as my resignation of the appointment as clerk in the post office department.

In thus separating myself from your employment, I hope I may be permitted to return you my most heartfelt acknowledgments for the many acts of kindness that I have received at your hands. Of the flourishing condition of the department under your guidance, though it is known and felt in every part of our happy country, it does not become me to speak, except to express my regret on leaving a department whose affairs are prosperous beyond precedent. That the same prosperity may continue, and that the meed of praise so justly due may be awarded you by your country, through a long life of happiness, is the prayer of one who will be happy to call you friend as he shall ever be yours.

SAMUEL GWIN.

Post office department,
Washington city, Oct. 26th 1831.

MY DEAR SIR:—My absence from this city has prevented my acknowledging sooner the receipt of your letter of resignation. I separate from you with regret. The personal regard you have shown me, and above all, your faithful discharge of duty, AND DEVOTION TO THE PRESIDENT, has awakened in my bosom feelings of respect and friendship that will long be cherished. The manner in which you speak of the "flourishing condition of the department" is gratifying. It is the result of the joint labors of the talented and faithful agents who have co-operated with me—of whom you are one. With such men I feel confident I can act safely, and I hope successfully. I am pleased to know that whilst the public lose your services in the general post office, they will have the benefit of them in another department. I wish you success in the new employment that you are about to enter upon, and happiness to yourself and fami-

ly in any station where Providence may place you. I reciprocate cordially the sentiments of friendship contained in your letter, and am happy that you call me friend, for I am, yours, most sincerely,

W. T. BARRY.

Samuel Gwin, esq.

[It seems, however, that the senate refused to ratify the appointment of Mr. Gwin, as register of the land office.]

NEW YORK CANALS.

From the Albany Daily Advertiser of Friday, we copy the following interesting statements—showing an increase of the canal tolls for the last ten years, as well as a general account of the funds. Namely for tolls

In 1821	\$2,220
1822	44,486
1823	89,988
1824	319,320
1825	521,343
1826	750,759
1827	847,759
1828	897,263
1829	771,685
1830	1,056,922

The account between the state of New York and the canals, as a matter of finance, stands thus:

Tolls for 1830	\$1,056,922
Deduct—Interest on debt	\$379,695
Repairs	211,044
Sundries	29,210
	619,949

Surplus of tolls towards sinking fund \$436,973

The surplus of the tolls, after paying for collection, interest and repairs, is actually above 7 per cent. on the present debt!

To that are to be added the duties and other items that accrued last year, appropriated to the liquidation of the debt.

Surplus of tolls 1830, brought forward	\$436,973
Auction duties, 1830	180,513
Salt duties, 1830	154,332
Other items, 1830	40,403

Total surplus for 1830. \$812,221

Canal fund for 1830.

Tolls as above stated	\$1,056,922
Auction and salt duties, &c.	375,248

\$1,432,170

The following view of the Erie and Champlain fund, from 1817, till January 1st, 1830, is interesting:

Canal tolls	\$4,244,809
Auction duties	2,257,449
Salt duties	1,035,346
Steam boat passengers	73,509
Western lock navigation company	8,758
Rents of surplus waters	4,103
Canal fund lands	10,003

Exclusive of the expense of collection, \$7,633,937

The debts on the New York canals, was, on the 1st of January, 1831 \$7,825,036

Sinking fund as follows:—

Balance in hand	\$1,481,475
Delaware and Hudson canal stock	200,000
Bond of corporation of Albany	50,000
Never-Sink stock	10,000

Total sinking fund, 1,741,475

Nett debt \$6,083,560

We come to the following conclusions:

1. That the debt will or may be paid off in six or seven years.

2. That the state of New York will have a surplus revenue of a million of dollars per annum.

We are informed,

3. That our revenue from the canal during the present year, will be about \$160,000 more than during the last year.

FINANCES OF PENNSYLVANIA.

Extract from the report of the auditor general of the state of Pennsylvania to the legislature:

Summary statement of the receipts at the state treasury, commencing on the first day of November, 1830, and ending the thirty-first day of October, 1831.

Lands and land office fees	\$103,329 13
Auction commissions	12,100 00
Auction duties	126,504 85
Dividends on bank stock	106,498 50
Dividends on bridge, canal, and turnpike stock	34,398 12
Tax on bank dividends	30,572 98
Tax on offices	7,464 53
Tax on writs, &c.	18,979 89
Fees, secretary of state's office	448 60
Tavern licences	40,146 94
Duties on dealers in foreign merchandise	51,445 38
State maps	446 26
Collateral inheritances	19,062 81
Pamphlet laws	81 88
Militia and exempt fines	1,381 41
Tin and clock pedlars' licences	2,020 33
Hawkers' and pedlars' licences	1,593 60
Ecclesiastical	20 00
Canal tolls	38,241 20
Loans	2,199,948 54
Premiums on loans	103,196 91
Contributions of the internal improvement fund	125,000 40
Old debts and miscellaneous	11,087 66
	\$3,034,978 57

Balance in the treasury on 1st Nov. 1830 149,450 79

\$3,183,409 36

Summary statement of the payments at the treasury, commencing on the first day of December, 1830, and ending on the thirty-first day of October, 1831.

Internal improvements	\$2,335,373 62
Expenses of government	125,306 91
Militia expenses	24,515 72
Monies of courts martial	2,343 48
Pensions and gratuities	22,226 84
Education	11,185 13
Interest on loans	91,525 00
Internal improvement fund	362,682 40
State maps	329 75
Penitentiary at Philadelphia	3,746 53
Penitentiary at Pittsburgh	2,624 25
Conveying convicts	1,177 96
Conveying fugitives	596 06
Pennsylvania claimants	56 55
Delinque of the state	107 50
Miscellaneous	9,128 94
	\$3,058,926 54

Balance in the treasury on 1st Nov. 1831 124,482 82

\$3,183,409 36

RIGHTS OF THE INDIANS.

The New York Evening Journal publishes the following proclamation of president WASHINGTON. At that time, certainly, it was supposed that the Indians had rights within the limits of their own territory, and were entitled to the protection of the United States.

By the president of the United States of America.

A PROCLAMATION.

WHEREAS, I have received authentic information, that certain lawless and wicked persons, of the western frontier, in the state of Georgia, did lately invade, burn and destroy, a town belonging to the Cherokee nation, although in amity with the United States; and put to death several Indians of that nation, and whereas such outrageous conduct not only violates the rights of humanity, but also endangers the public peace; and it highly becomes the honor and good faith of the United States to pursue all legal means for the punishment of those atrocious offenders; I have therefore thought fit to issue this my proclamation, hereby exhorting all the citizens of the United States, and requiring all the officers thereof, according to their respective stations, to use their ut-

most endeavors to apprehend and bring those offenders to justice. And I do moreover offer a reward of five hundred dollars, for each and every of the above named persons, who shall be so apprehended and brought to justice, and shall be proved to have assumed or exercised any command or authority among the perpetrators of the crimes aforesaid, at the time of committing the same.

In testimony whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same with my hand. Done at the city of Philadelphia, the twelfth day of December, in the year of our Lord, one thousand seven hundred and ninety-two, and of the Independence of the United States, the seventeenth.

GEO. WASHINGTON.

By the president,

TH. JEFFERSON.

SOUTH CAROLINA.

In senate—report of the committee on federal relations.

The committee on federal relations, to whom was referred that part of the governor's message which relates to a letter bearing date the 14th of June, 1831, which the president of the United States thought proper to address to a portion of the citizens of this state, beg leave to report:

That the letter adverted to seems to your committee a manifest and most unauthorized interference of the executive of the union with the domestic parties of a separate state; attempting to give the preponderant weight of governmental authority to one of two political disputants, who might have been permitted to settle their own disputes without this intermeddling of the president in a case out of his constitutional cognizance, and not connected with any of his delegated powers.

His letter contains a plain and positive threat of military coercion against South Carolina, because her citizens are seriously but peaceably contending against an unconstitutional impost fatal to their prosperity: not by forcible resistance, but by quiet and orderly appeals to the laws of the land, the tribunals of justice, and, if necessary, to such further means of self-protection which other states have not only sanctioned in theory, but have repeatedly adopted in practice, and which a true construction of the charter of our liberties no where forbids. It is admitted that the federal executive is bound to execute the laws of the land, but in the exercise of that high prerogative, military force can be used only when "the laws of the United States shall be opposed, or the execution thereof obstructed in any state, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings." But even in such a contingency, "the president shall first by proclamation command such insurgents to disperse and retire peaceably to their respective abodes within a limited time" before the military force can be called forth. Over the militia he has no control by the constitution. He has the command only of such part of that arm of the national defence as by legislative provision may be called into the actual service of the union, and even this call is utterly ineffectual until the permission of the governors of the separate states shall have been obtained. As commander-in-chief of the army and navy of the United States, the constitutional power of the president of the United States is altogether nominal. "It amounts to nothing more than the supreme command and direction of the military and naval forces, as first general and admiral of the confederacy."

Even if a state conceiving its sovereignty to be infringed, should find it expedient to resort to actual resistance, congress itself has not the authority to interpose the force of the union, and plunge the country into civil war. The powers of congress are confined to the express delegations of the constitution. In what part of that instrument is congress authorized to make war on a sovereign state, which refuses to obey a law passed on dubious and disputable authority? Not a convention of the states is the plan and constitutional method of deciding the matter in dispute. To this appointed decision every state must yield, or else it must determine on a secession from the union. But in neither case is warlike hostility called for on either side.

The general government is the agent of the states. It is not a party to the federal compact.—The idea of the agent coercing by physical power, the parties to the compact, involves a political anomaly, and is based on the dangerous and alarming assumption that congress is the irresponsible judge of its own acts—a doctrine at war with the origin, practice and principles of the federal government.—But if the authority of congress be incompetent to the forcible coercion of any state belonging to the American confederacy, upon what reasonable grounds can the president of the United States, on his own assumed authority, make such a threat as his letter manifestly discloses? Even though the greater part of the citizens of South Carolina should be of opinion that an act passed by congress beyond the limits of its delegated powers is null and void—and being so persuaded, are determined to use every constitutional means of protecting themselves from the destructive effects of gross usurpation,—will this justify the invasion of their country by an hostile force, because the president of the union disagrees with them in opinion? If any doubt, however, exists as to the true construction of the federal constitution on the subject of the powers of the president, or of congress, over the military force of the United States, that doubt is removed by reference to the journals of the federal convention.

The following resolutions, the one introduced on the 29th of May, and the other on the 15th of June, were both rejected by decided majorities:

Resolved, That the national legislature ought to be empowered to call forth the force of the union against any member of the union failing to fulfil its duty under the article thereof.

Resolved, That if any state, or any body of men in any state, shall oppose or prevent the carrying into execution such act or treaty (made and ratified under the authority of the United States), the federal executive shall be authorised to call forth the powers of the confederated states, or so much thereof as may be necessary, to enforce and compel an obedience to such acts, or an observance of such treaties.

After this brief exposition of the powers of the general government and its chief executive officer, in relation to the military force of the country, your committee would remark that the pertinacity with which congress adheres to the enforcement of laws, unwarranted by the federal compact, and the recent avowal of the president, that high and sacred duties will compel him to sustain the usurpation by physical means, constitutes a case, on the decision of which the existence of the federative feature of the government is essentially involved. If the position thus assumed by the president be true, the constitution of the United States is a nullity, and the people of the union are practically controlled by a military despotism.

The committee, in conclusion, would distinctly declare, that the threat contained in the president's letter is equally impotent and unwise; and that South Carolina, regardless of menace from whatever quarter it may proceed, will persevere in using such means of protecting her citizens against manifest oppression, as the necessity of the case shall demand, and her constitutional rights will justify.

Influenced by these considerations, your committee ask leave to submit the following resolutions, viz:

Resolved, That the letter of the president of the United States to a portion of the citizens of Charleston, bearing date 14th of June, 1831, is at once at variance with his duties and the rights of the states.

Resolved, That whether the threat contained in that letter was aimed at the freedom of discussion, or at the sovereign authority of South Carolina, it is equally entitled to the decided reprehension of this legislature, and is incapable of exciting any other than an augmented resolution to maintain inviolate the federal principles of the compact.

W. B. SEABROOK, chairman.

FRAUDS ON THE REVENUE.

UNITED STATES DISTRICT COURT, NEW YORK.

Before his honor, Judge Bots.

The United States vs. three bales of woollen cloths, marked S. Nos. 26, 27, and 28.—Claimant, George Adshad.

This was an action brought to establish the forfeiture of the cloths for a violation of the revenue laws, incurred by their having been invoiced below their real value, with a view of defrauding the revenue of the United States.

The cloths were invoiced at six shillings and sixpence, and six and ninepence British, per yard, a valuation at which the duty upon them would be 436 dollars and 60 cents, whereas, according to the appraisement made by the custom house officers, the duty would amount to 1,084 dollars and 40 cents, making a difference of 648 dollars and 80 cents.

The claimant objected, at the time of the seizure, to the valuation made by the appraisers, upon which two merchants were chosen to inspect the goods. These gentlemen supported the opinion given by the custom house appraisers, and even set a higher value upon a portion of the goods than the officers had. The claimant gave a bond in the sum of 3,320 dollars—about 5 dollars and 68 cents per yard—to the United States for the goods, in order to obtain possession of them.

Mr. Daniel Jackson, who was chosen, on behalf of the claimant, as one of the appraisers to make the second valuation, testified, that cloths which cost in England about six shillings and sixpence, are worth, here, from 2 dollars and 50 cents to 2 dollars and 78 cents per yard; and cloths worth 5 dollars and 68 cents here, ought to cost at least twelve shillings in England.

In charging the jury, his honor the judge remarked to them, that whatever their private opinions might be as to the expediency of the present tariff, yet they were bound as good citizens, and as jurors to support it while it was the law of the land. There was at all times a difficulty in establishing such a mode, or ascertaining the proper rate of duty as would prevent an evasion of the law. In 1826, the congress, with a view of making such a regulation as they deemed least liable to evasion, enacted a law subjecting all woollen goods worth less than 50 cents to one rate of duty; all goods worth above that sum, and below 1 dollar to a higher duty, and above that sum, and below 2 dollars and 50 cents to a still higher sum. In 1830, the congress enacted another law, by which it was provided that to regulate the duty on any particular package of goods, it was merely necessary to examine the best piece in each package, and consider all the other pieces in the same package to be of the same value. Of these laws the importers and manufacturers cannot be ignorant—even were they so, the jury is bound to suppose they are perfectly aware of them. By the law of 1830, all goods invoiced below their value, for the purpose of defrauding the revenue, are declared forfeited to the United States. The question, therefore, which the jury had to consider were, first, were these goods invoiced below their value, and next, was this difference made with a fraudulent intent.

The jury gave a verdict for the United States.

David B. Ogden, esq. was associated with James A. Hamilton, esq. district attorney on behalf of the United States.

The United States vs. one truss of cloth marked X, No. 289, George Shaw claimant.

The grounds upon which this action was brought, were of the same character as those on which the preceding action was brought.

The difference between the prices set down in the invoice, and that fixed on by the custom house appraisers, and the appraisers subsequently chosen, varied about six pence British per yard.

On behalf of the claimant, witnesses were examined to show that appraisers will vary in their valuation from 6 to 16 per cent. and that at some times, goods can be purchased cheaper than at others.

The judge in charging the jury, informed them that to justify the officers of the custom house in seizing imported goods, it was only necessary for them to show that they had a reasonable cause for suspicion. It remained for the person who claimed the goods, to explain away all the suspicious circumstances, to show that in the purchase of these goods they made use of more than ordinary skill, superior capital, or had better luck—circumstances which could be shown by the letters of their agents or correspondents.

The difference in the valuation was only slight; but it the jury believed that it was regulated at a sum so slight with a view of the more effectually carrying into effect a fraud on the revenue, they should give their verdict in accordance.

The jury gave a verdict in the case for the claimant.

For the United States, D. B. Ogden and James A. Hamilton, esqrs.; for the claimant, J. H. Hatch, and S. Cambreleng, esqrs.

In the progress of the case the district attorney offered in evidence, the bond given by the claimant at the time of the seizure, whereby he agreed to pay a certain sum if the cloths were found to be of greater value than the price charged in the invoice.

The counsel for the claimant objected to the production of this testimony, on the ground that the amount of the sum for which the bond was given, was fixed by the United States, not by the claimant. On this point the judge decided that the evidence was admissible; and in his address to the jury, said that although the sum fixed in the bond was not sufficient evidence of the value, yet it might be supposed that no prudent man would give a bond for more than the value.

[Cour. & Eng.]

GEORGIA LEGISLATURE.

In senate, Friday December 9.

The committee to whom was referred the communication of his excellency the governor, transmitting to the general assembly, copies of a paper purporting to be signed by Henry Baldwin, esq. one of the justices of the supreme court of the United States, and to be a citation of the state of Georgia, to appear in the supreme court on the second Monday in January next, to show cause before that tribunal, why two several judgments should not be set aside, which have lately been rendered in the superior court

of the county of Gwinnett, against Samuel A. Worcester and Elizar Butler, for a violation of an existing law of the state, committed within its jurisdictional limits, also a paper purporting to be a notice, signed by Wm. Wirt and John Seagrass, as counsel for Samuel A. Worcester and Elizar Butler, informing his excellency the governor, of an intended application to the supreme court for a hearing on writs of error filed by said Worcester and Butler—

They leave to recommend to the general assembly, the adoption of the following resolutions, viz:

Resolved by the senate and house of representatives of the state of Georgia in general assembly met, That the act of the last legislature, making it penal, to reside within the limits of the lands belonging to the state, in the occupancy of the Cherokee Indians, without having taken a license from the governor, and without taking the oath to support the constitution and laws of Georgia, under which Samuel A. Worcester and Elizar Butler, were convicted at the last sitting of the superior court of Gwinnett county, is not in violation of either the letter or the spirit of the federal constitution.

That the state has a right of civil and criminal jurisdiction over the whole of the lands within her chartered limits, and that her jurisdiction does of right, extend to the persons and things within these limits.

That "the powers not delegated by the constitution to the U. States, nor prohibited by it to the states, are reserved to the states respectively." And that a right to interfere with and control the criminal jurisdiction of the states, has not been delegated by one country to the United States or to the world, nor is the right of exclusive and final jurisdiction in all criminal cases, prohibited by the constitution to the states.

That by the constitution of the state of Georgia, final and conclusive jurisdiction in criminal cases, is vested in the superior courts of the several counties of this state; and when these courts have pronounced the sentence of the law, no court has the right to rehear, overrule and reverse their decisions; or in any way impede the execution of their decrees.

That any attempt to reverse the decision of the superior court of Gwinnett county, in the case of Samuel A. Worcester and Elizar Butler, by the supreme court of the United States, will be held by this state, as an unconstitutional and arbitrary interference in the administration of her criminal laws, and will be treated as such.

That the state of Georgia will not compromise her dignity, as a sovereign state, or so yield her rights as a member of the confederacy, as to appear in, answer to, or in any way become a party, to any proceedings before the superior court, having for their object a reversal or interference with, the decisions of the state courts in criminal matters.

That his excellency the governor, be, and he and every other officer of this state, is hereby authorized and requested to disregard any and every mandate, order, process, or decree, that has been or shall be served upon him or them, purporting to proceed from the chief justice or any associate justice of the supreme court of the United States, for the purposes of arresting or impeding the execution of the sentence of the state courts, in criminal cases.

That his excellency the governor be, and he is hereby authorized and required, with all the power and means placed at his command by the constitution and laws of this state, to resist and repel any and every invasion, from whatever direction it may come, upon the administration of the criminal laws of this state.

"THE WEST INDIA TRADE."

The following brief sketches of the speeches of Mr. Smith, of Maryland, and Mr. Holmes, of Maine, in the senate of the United States, on the 22d inst. will serve to show what may be expected from a close investigation of the loudly-tempted arrangement with Great Britain, concerning the colonial trade.

On motion of Mr. Smith, the senate proceeded to the consideration of the resolution of Mr. Holmes, calling on the president of the United States for information on the subject of the West India colonial trade.

Mr. Smith said, that he had looked over the subject, and had come to the conclusion not to object to the final vote on the resolution. He suggested the propriety of striking out some part thereof. Said that the captains of vessels employed in this trade had enjoyed the advantages of the trade and had been able to avoid the duties imposed on the articles exported, and thus deprived the revenues of England of the discriminating duties.—He considered this a sort of proceeding unfair—it opened the road for fraud; and if those engaged in the trade felt disposed they could act the knave or play the fool. He thought that the custom house officers employed to collect the duties, might have been deceived in many instances. Vessels could go out of port with American clearances, and by management, enter the colonial ports under British clearances, which he considered a fraud upon the English revenue. He did not see how vessels pursuing this practice, could avoid making misstatements to the collectors of those ports. He understood the gentleman from Maine, to say that but two months had elapsed, after the opening of the ports, before the American merchants were informed of the result. He believed it was longer—could not be much less than three months. This was a failure of course, arising from the distance between the two countries, and the necessary time employed in transmitting information from one to the other—besides the merchants were not prepared to enter immediately into the trade upon receiving such information. He said that merchants were cautious in embarking in new enterprises, until they had time to weigh the probable results of them.

The gentleman from Maine might be correct in his views on this subject, but he considered that the arrangement had not been

persisted in sufficiently long to give a decisive result. He was disposed to allow it further time to operate, before he condemned it in toto—say till the first of March next, or even until next session of congress. Mr. S. objected to the statement of the duties made by the gentleman from Maine yesterday; the schedule from which the statement was made, differed from the present rate.—He should have stated from the office document. The merchants of Baltimore had not at first entered into the trade, but they were now doing so; their trade with the colonial ports was rapidly increasing—he was disposed to wait and see the result of their enterprise. Another way, at least, would enable them to ascertain whether the present arrangement was beneficial to them or otherwise, and there would be more facts than now on which to ground a report from a committee. Mr. S. animatedly adverted on the custom of prefacing resolutions with explanatory remarks, and said he could not at once recall his recollection to things which had been forgotten; was unprepared to enter into a discussion of the question yesterday, but he would now speak positively on the subject of the parliamentary bill. He could not affirm that it had passed into a law and never was acted on: he knew of no arrangement that had been made injurious to our commerce by the British government since the negotiation was concluded; he had heard of none, and presumed there was none. He said that American produce was carried to Canada and Nova Scotia in our vessels, and from there exported in the British vessels without charge of duty. The British vessels had an advantage of ours, arising from the circumstance of situation; they were nearer and were more distant from the channel of trade. But supposing it were, that our vessels were, in a manner, excluded from the northern colonies, we have still the West India trade, and in that part of the commerce of New York, Ohio, Michigan, &c. might find out in the West India colonies, in the same manner as if no arrangement had been made—there would be a loss to the commerce of the country from the regulations of parliament, as the gentleman maintained, it had been more than overbalanced by the benefits which had resulted to agricultural interests, and therefore he thought we should rest satisfied. They were not to legislate for a part of the union, but for the whole country at large. It would sometimes be the case that one portion was less fitted for than another, but this was unavoidable. Mr. S. apologized for transgressing on the patience of the house, and resumed his seat.

Mr. Holmes said, that he perfectly agreed with the gentleman from Maryland that he did not understand the subject; for if he had, he was sure he would not have made the statement which he did yesterday, that England had made no such arrangement as was supposed by them, and then claim the advantage of such an arrangement, as having been evidently beneficial to our agricultural interest.

He should be glad if the gentleman, after he had informed himself on this subject, would undertake to show how Mr. McLane's arrangement with England, had or could produce a beneficial effect. Our produce before this arrangement would necessarily rush out through the channel of the northern colonies; but what was the fact now. He should be happy to hear the gentleman from Maryland inform the senate, what had been gained by this arrangement, that would not have been equally enjoyed by the previous arrangements of 1833 and '35. He should attempt to show, that the relinquishment of our circuitous trade, was equivalent to the destruction of our commerce in that quarter—as the trade was now exclusively in the hands of England. He was prepared to show the state of our trade with the colonies, during the years 1821, 22, 27, and 30, up to the date of the president's proclamation, announcing this unexampled arrangement to the world. If the government will furnish us with a statement of the trade since that time, by comparing notes we shall be able to discover the advantages which have resulted to the country since the opening of this wonderful colonial trade; which the government have so humbly begged Great Britain to grant us, and for which boon, they were ready and anxious to sacrifice any thing that England might demand or desire.

The gentleman from Maryland, had objected to the document from which he had stated the duties imposed on our exports, but if he would take the trouble to look into the Albion, he would find himself in an error. He did not say that it was the same tariff as the present. He stated the time which elapsed, before we were informed of the opening of the trade from recollection, and he did not intend it to be understood as a precise statement—for he believed there was no news of arriving at the precise time, this side of the Atlantic. He still believed the time did not much exceed two months, possibly it might have been two and a half month after. The gentleman had said that our merchants were not prepared to enter immediately into this trade. This he conceived was not the reason of their not embarking in it. It was because the vessels were bound to these ports, had nothing to deposit when they arrived there, and therefore, they were obliged to turn about and proceed to England or some where else. We cannot carry produce from there to the other colonies, and then can. The British vessels can start from their ports and proceed directly to the West India, and pay only one shilling duty, and thus save about 300 dollars on each cargo, which we are forced to pay, making a saving of 600 dollars on every voyage.—These and other facts of a like nature, are among the reasons which prove the importance of passing the resolution. With these reasons before them, it is not to be wondered at that the people should wish to know what is going on, and why they have lost so much of their trade. Perhaps there may be some light thrown upon the subject, by the executive, the custom house officers or others, which will be useful, and for this reason he wished the resolution should pass.

The resolution was then agreed to.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 19—VOL. V.

BALTIMORE, JAN. 7, 1832.

[VOL. XLI. WHOLE No. 1,059]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The editor gratefully presents the "compliments of the season" to his very numerous and respectable friends and supporters. If they have been as well pleased with him during the past year, as he has been with them—both parties may hope to jog on pleasantly together in the time to come: the editor contemplating no change in his course, desires that his friends may make none in their's. He renews his promises of fidelity and zeal—and they will do what is rightful that he may maintain them. In looking back, he sees not much to regret—and so he looks forward with confidence, chastened, he hopes, by the fear of doing wrong, but resolute in doing right.

☞ By the free use of our small type, we have disposed of much matter for record—and, perhaps, made room for about one-half the articles that we had ready prepared for the present sheet—some of which cost us a good deal of labor, and may become useless from being deferred. Well—we "can't help it."

☞ The report of the Baltimore and Ohio rail road company to the governor of Maryland, is a triumphant exposition—and relates many facts of powerful interest to all the people of the United States. It will be found in a subsequent page. It is thought that the travelling between this city and Frederick, will give employment to not less than twenty large stages, next spring—when steam power will be permanently introduced.

The train of wagons which leaves Frederick every day at 3 o'clock, now consists of fourteen, and will soon be further increased. It is stated that about 2500 barrels of flour, with many other heavy articles, left Frederick for Baltimore during the present week.

The lines of rail roads, now made or making in the United States, are about eighteen hundred miles long. Those which are, with much seeming seriousness, contemplated, will extend a greater distance when located; and the joint capital of the whole will amount to a mighty sum. It is much to be regretted, that, from the want of some reasonable arrangement, a part of the surplus funds of the U. States may not be invested in such roads, or canals, if preferred. Five millions a year, abstracted from the public treasury, would probably save the people, in the cost of transportations and time, (which is "money"), at least as much every year, or yield an interest of 100 per cent. In a free government especially, the wealth of individuals may be said to pass directly into the national power—every citizen making an integral part of that power, each being expected, "at the call of the law, to rally round the standard of the law, and unite in common efforts for the common good." The plan which I had the honor to submit some time ago, that the national government should subscribe a third, or a fourth, or a fifth part of the stock in all such improvements, not to exceed, however, a certain fixed amount in any one year, would greatly encourage the making of them; and be free from those objections that have been offered to the manner in which appropriations for public works have hitherto been made. There is, perhaps, no way in which the "general welfare" can be better promoted than in lessening cost and time expended in transportations of persons and commodities; and, by the plan proposed, all parts of the union, possessed of a sufficient degree of public spirit, would be equally benefited.

A rail road from lake Erie, midway between Cleveland and Erie, to strike a point on the Ohio river in the eastern part of the state, is projected, and will probably, be commenced at an early day.

Baltimore and Ohio rail road. On the 4th inst. the court of appeals, sitting at Annapolis, reversed the decree of the chancellor and dismissed the bill of the complainants with costs, on No. 274, the Chesapeake and Vol. XLI.—No. 24.

Ohio canal company vs. the Baltimore and Ohio rail road company, Archer and Dorsey, judges dissenting.

This decision against the rail road company was not expected. There were five judges on the bench, two of whom dissented from it. If such is the fixed law of the land,—future legislatures will do well to use extreme caution in granting acts of incorporation! The power which is said to have been extended to the old Potomac company, merged in, or transferred to, the Chesapeake and Ohio canal company, remained dead for very many years—and yet it seems that such a power, once granted, may forbid improvement forever, so far as the "right of way" is concerned.

The consequences of this decision are looked to with great anxiety—for it seems that the rail road company have no appeal to the supreme court of the United States, and there are conditions in the charter of this company, by the state of Maryland, as to the line of the road, that will cause much perplexity, or involve a great expenditure of money. There would be some consolation, if that which so much injures us, benefited others—but of this there is no present prospect. The board, however, is not discouraged.

Rail roads in New York.—Applications will be presented to the next legislature of New York for acts of incorporation for twenty-five different rail roads, with an aggregate capital of forty-one millions of dollars!—Of these, however, three are for roads between lake Erie and the Hudson, with an aggregate capital of twenty-seven million.

Rail Road Journal.—The first number of a weekly publication, under the above title, has been issued at New York. It is published by D. K. Minor, esq. of that city, the publisher and part proprietor of the New York American. The Journal is ornamented with the appropriate engraving of a locomotive engine and passenger car. It is issued on a mammoth sheet in the octavo form, and contains a large mass of interesting matter on the subject of rail roads and other public improvements. We have no doubt this Journal will be ably conducted, and consequently prove a useful publication.

NEW YEAR'S DAY happening on Sunday, president Jackson, ex-president Adams, and Mr. Clay, received the visits of large number of persons at Washington, on Monday.

THE TARIFF. It will be seen that on Mr. Benton's resolution about alum salt, a brief, but decided debate took place, and the reference of the resolution clearly shows the state of feeling in the senate. Because of some things that have been stated, we quote the following from the National Gazette—

"Mr. Clay 'came out' decidedly and manfully respecting the American System. He eulogised it in warm terms, and stated, that on a suitable occasion, he would detail its advantages. His plan of action is one of compromise, as to particular points, but of unequivocal support of the principle of protection."

On the latter point, we well know that Mr. Clay will yield nothing—except to the will of the majority. He has no desire to "nullify" that—if argument and the rightfulness of the cause, shall fail to support it.

☞ The direction given by the senate to Mr. Benton's blanket-bill, leaves not the shadow of a doubt as to the course which that body will pursue; showing a settled determination not to sacrifice the principle of protection to manufactures, and in that view is highly interesting.

"HEP-MURRAY!" The "Boston Patriot" says—Captain Catesby Jones has been appointed to the command of the U. S. sloop of war Peacock, which, with the new

schr. Boxer, are now fitting out at the Charlestown navy yard for the *Falkland Islands* and *East Indies*.

"PROTECTION"—or the "*American System*." It was stated in our last, that the president, in compliance with an application addressed to him by the ladies of Newbern, had given directions for a company of U. S. troops to be stationed in this place. The answer of the president to the petition of the ladies, and a letter from the secretary of war on the same subject, are as follows.

Washington, Dec. 5, 1831.

To ———

Ladies,—On the receipt of the memorial of the ladies of Newbern, North Carolina, I lost no time in referring the same to the secretary of war, with directions, if captain Whiting's company had been removed from thence, to order another company to Newbern for their protection and safety. I herewith enclose the reply of the secretary of war. That will shew with what promptness I have met the prayer and wishes of the fair petitioners. Be pleased to communicate this to the memorialists, and believe me, with great respect, your most obedient servant,

ANDREW JACKSON.

War department, Dec. 5. 1831.

The secretary of war has the honor to return to the president the letter of the ladies of Newbern, enclosing their memorial, and to inform the president, that captain Whiting's company was sometime since withdrawn, but that another has this day been ordered from Old Point Comfort to supply its place.

[Newbern Sentinel.

COTTON MANUFACTURES. A South Carolina paper states that the Walham company averages 83 per cent. on its capital, the Merrimac 7 1-8, the Hamilton 10 1-2, the Lowell 6. Surely, these dividends cannot be thought extravagant. For the two last years, the cotton manufacture has been regarded a good business—three years ago it was a bad one; and now, because of over-production or the pressure for money, the profits are much less than they were. The capital vested in such factories should yield at least 10 per cent. to meet casualties, encourage enterprise, and reward industry and talent.

COFFEE. An idea prevails that the production of coffee is not equal to the present demand, and large quantities of it have been stored in Europe and the United States, for higher prices. The stock in England is very large—but that at Antwerp is said to be 25,000,000 pounds less than at the same date last year! It is lively in the West Indies—and, at Havana, was in request at 9 1/2 to 12 cents—equal to the price in the United States when the duty was five cents, which is now only one cent per lb. There is a great deposit of coffee at Salem, Boston, New York, Philadelphia, and other ports, and large quantities have lately arrived from the East Indies, or are on their way—600 tons in one ship. Indeed, some say that our merchants have the present command of the coffee market; and there are persons who seem to believe that it will go up to 20 cents per lb. We shall see.

How dull must be those who cannot see in such operations the effect of scarcity and supply, on price? Had the duty on coffee been advanced to 10 cents a pound, instead of reduced to one cent,—what "free trade" man is there who would not have asserted that the "tax" was the cause of it—and yet it might as well be said that the moon is a green cheese.

SPECIE. The Journal of Commerce says—the advance of about one per cent. in the price of specie in the London market, we hear attributed to the considerable purchases made by persons alarmed by political events. The advances will probably cause some shipments to be made early in January. In the meantime, the arrivals are more than equal to the probable shipments.—Two vessels from Vera Cruz, have brought nearly \$100,000.

* The letter is addressed to the three first signers of the petition.

GOLD. The business of gathering gold is greatly extending in the south, and appears to yield a fair profit on labor and capital. We have no correct idea of the aggregate value produced, but suppose that it must be two or three millions a year. Some of the mines are said to be the richest that are known in any part of the world. The chief quantity is obtained by mining, proper; much gold, however, seems to have been deposited while in a state of fusion, and the washings of the beds of rivulets afford a considerable amount.

Mr. F. EVERETT, has been presented, by the American Institute at New York, through the hands of Gen. Tallmadge, its president, with a splendid gold medal, in testimony of respect for his patriotic address delivered 14th Oct. 1831.

REPORT OF THE SECRETARY OF WAR. We see that the ground taken by Mr. Cass, concerning the Indian tribes, is warmly contested in some of the papers. But the late of this people is "*sealed*"—all on the eastern side of the Mississippi are to be hurried from the tombs of their ancestors, unless suffering themselves to be incorporated in the states; and the best efforts that can be made in their behalf, we are forced to believe, are such as shall most lessen the amount of privation and suffering to which they are exposed. It is clearly decided that they have no rights—because they have not power to defend them! They are rapidly declining in population, and will soon pass away—but history will tell the story of their wrongs, and say, that not a remnant was saved to shew the sincerity of our professions that the benefits of civilization might be extended to them: that our system was only a system of force.

BANK OF THE UNITED STATES. From the United States Telegraph, of December 31.

"Nothing but the sign manual of Andrew Jackson himself to such a bill, can overcome the strongest conviction we entertain he will sign no such bill."

So says the Richmond Enquirer.

Now mark what says the New York Enquirer, the special organ of the "*fair apparent*!" The oracle of the deity whom Mr. R. worships.

The New York Enquirer says:

"In the foregoing extracts we have the material parts of the several messages of general Jackson, relating to the bank of the United States. The very favorable view of the subject taken in his last message, and his wise determination to leave the subject to 'an enlightened people and their representatives', has been in a measure rendered nugatory, by an editorial article in the Washington Globe; which, by the enemies of the president, and those professing to be his friends who are interested in arraying him against the bank, has been represented to convey the opinions and views of the executive. It has always been the aim of our political opponents to hold the president responsible for the sayings of the Globe; but that paper and all who are sincere in their attachment to the venerable chief, have taken especial pains to avert from him any such responsibility. What shall we think then of those who, from opposition to the bank, are industrious in producing the impression that the remarks referred to were intended to be considered expressive of the feelings and views of the executive? The use which has been made of the article in question, and the total want of principle by those who could be induced thus to pervert its obvious meaning, compel us to say, that we know from the most unquestionable authority, the article referred to was not published with the knowledge of the president—expressed merely the private opinions of Mr. Blair—and was penned by him without knowing at the time that the report of the SECRETARY OF THE TREASURY HAD BEEN SUBMITTED TO THE PRESIDENT PREVIOUS TO ITS TRANSMISSION TO CONGRESS. Mr. Blair had an unquestioned right to say all that he did, and we doubt not but he has witnessed with regret the evident perversion of his intentions, by attributing his remarks to the executive of the United States, or inducing the belief that they were written at his request. Having as we have shewn that the language of the president in his last message—language used after reading Mr. McLane's m-

port—is the latest expression of his views on the subject of re-chartering the United States' bank, we will now proceed to review that language and its meaning, as compared with the opinions previously expressed by the same high functionary."

We have waited to see what notice Mr. Ritchie would take of this official announcement of a fact which Mr. Ritchie has denied to be true. Does no one understand why it is that Mr. R. denounces us as unworthy of all credit, for saying that which the New York Courier asserts without being censured?

Is this the way to preserve the liberty and independence of the press? Does Mr. R. believe what the Courier and Enquirer says to be true? If so, why does he denounce the Telegraph? Does he believe the statement in the Courier to be false? If so, why is he silent? Is this vigilant sentinel on the watchtower? For, Mr. Ritchie, fit! Is this the way that you would win a FOREIGN MISSION?

"THE CABINET." The "National Intelligencer" of Saturday last says—It is understood, that of the higher appointments made by the president of the United States during the recess of congress, those of Mr. Secretary Woodbury, and Mr. Attorney general Tully, have been confirmed by the senate; and that the residue have not yet been acted upon. There is much speculation as to the result on the nominations of Messrs. Livingston and McLean; especially the latter, whose late seems linked with that of Mr. Van Buren, because of the instructions, and acts under them, concerning the British West India trade. The nomination of James Buchanan, of Pennsylvania, as minister to Russia, has just been ratified.

WOOL. The New York American Advocate mentions a decline in the price of wool—and estimates that 17,000 bales, or 6,000,000 lbs. of foreign wool, were imported into the United States in the year just ended. Such was the consequence of the speculations that we have several times spoken of; they very extensively injured those engaged in them, and the public—but wisdom, perhaps, may be gained from experience, though her school is a "dear one."

The "Advocate" says—the quantity of wool in the country is believed, by those most capable of judging, to be more than enough to supply the machinery of the country until shearing. In addition to the ample supply held by dealers, much is yet in the hands of growers, who were not willing, in May, to have taken 70 to 80 cents per pound, and some even refused 94 cents, because they had made up their minds to have a dollar per pound.

American Saxony, fleece,	60 a 65
Full blood merino ..	50 a 55
Half and quarter ..	45 a 50
Native and gr. blood merino fleece,	42 a 45
Pulled lambs, No. 1,	44 a 48
do. No. 2,	34 a 37½

Foreign wools.

Spanish hat wools,	50 a 90
Saxony,	50 a 75
South Down fleece,	40 a 43
Smyrna, No. 1,	35 a 36
do. No. 2,	31 a 33
Mexican,	20 a 23
Buenos Ayres,	12 a 13

BOSTON. The editors of the "Courier," warm friends of the successful candidate for the office of mayor, Charles Wells, esq. says that city "will be obliged to 'endure the disgrace of having a mechanic for its mayor' for the next year, after all the labor of the Jackson party, the free trade party, the workingmen's party, the antimonopoly party, the independent party, and the fragments of all the parties."

Baltimore has been in the same state of "disgrace" for several years—the last and the present mayor being practical mechanics, at the time of their elections, and since. We do not know, however, that the public service has suffered because of these things!

The vote at Boston was for Mr. Wells 3,516. gen. Lyman 2,380—a very worthy gentleman. The "States-

man" says that he was not the "Jackson" candidate, being decidedly opposed to the administration; but that the "Jackson democrats" preferred and supported him, with a large portion of other persons.

MARYLAND. On Tuesday, the 26th ult. Richard Thomas was elected speaker of the house, he receiving 43 votes, L. D. Trachte 2 votes, and 15 of the ballots (the administration votes) being blank. George G. Brewer was appointed chief clerk of the same body.

In the senate, Benjamin S. Forrest was chosen president, and Joseph H. Nicholson chief clerk.

NORTH CAROLINA. From a recapitulation of the treasurer's report, which has been sent to the assembly, we find the following balances of cash to have been in his hands on the 1st of last month, viz:

Amount as public treasurer,	\$35,022 99
As treasurer for internal improvement,	7,944 19½
As treasurer for the literary fund,	75,025 96½

Aggregate, 115,993 15

TENNESSEE STATE BANK. If the Yankees know how to get clear of their wooden nutmegs, by deceiving the senses of the purchasers, they have their match in sundry officers of the Tennessee state bank, or some other persons who have abstracted its funds, and left no trace of them behind. The Argus says—The affairs of the institution are without a parallel. A large amount has been abstracted—and not only have all attempts to recover it been frustrated, but even the persons who obtained it, and who should be accountable for its return, are unknown to the public. It is known that the money has been illegally withdrawn; but what is much to be wondered at is, that, owing to the family influence of the offenders, public sentiment and even attempts at investigation by the legislature, are successfully put at defiance.

CLIMATE OF FLORIDA. The following account of the temperature of the air in Florida, during part of the late severely cold weather here, is communicated to us, (says the National Intelligencer), by a gentleman residing at Micauopy, in that territory:

State of the thermometer at Micauopy, E. F.

	Morn	Noon	Even
Nov. 25,	50	66	61
26,	57	71	63
27,	48	54	52
28,	34	55	56
29,	48	72	69
30,	58	74	70
Dec. 1,	54	64	70
2,	54	60	62

FOR AFRICA. The ship James Perkins has just sailed from Norfolk for Liberia, with emigrants—eighty of them manumitted slaves from Southampton. They were well provided, and reported as being valuable persons. Their accommodations for the voyage appear to have been excellent.

THE INFLUENZA has caused the loss of many valuable lives in our chief cities. It has passed through some entire families—none escaping. Abstinence, and a close-keeping within a mild temperature, seem to be the best remedies for this disease. Irregularities and exposures make it fatal.

ORDNANCE. According to the annual report from the ordnance office, the work performed at the several arsenals and armories, in the year ending 30th September last, was as follows:—110 gun carriages and equipments, 997 holsters, about 830 sets of accoutrements for small arms, have been made at the arsenals; and that 16,741 small arms have been cleaned and repaired, and 26,481 muskets and their appendages, have been manufactured at the national armories. Of these, the army and marines have obtained 54 field gun carriages, 33 field guns, 2,209 complete muskets, and about 700 sets of accoutrements for small arms. The militia have procured, under the act of 1808, for arming and equipping the militia, 53

six pounder cannon, 103 field carriages with equipments complete, 150 sets of timber for gun carriages, and 10,230 stands of muskets and rifles. The total number of the militia is given at 1,262,315 (1,756 being of the District of Columbia); and the total of arms delivered to the militia during the year, is 1 brass mortar, 47 fourteen pounder cannon, 22,575 muskets, 6,463 rifles, 2,913 pistols, 921 artillery and non-commissioned officers' swords, 1,461 cavalry sabres, and the necessary accompaniments of caissons, harness, accoutrements, belts, holsters, and cartridge boxes. [Natl. Jour.]

LEAD MINES. The amount of lead made at the United States lead mines, at Fever river and Missouri, during the year, is 6,449,080 pounds. In 1829, the amount was 14,541,310 pounds. The rents of these mines are paid in levy; and in January, 1830, they were reduced from 10 to 5 per cent. in the amount of lead made. Yet there was, last year, less made by 8,091,230 pounds, than there was in the year 1830. [Ibid.]

ARMY DEATHS AND DESERTIONS. The number of deaths in the army during last year, is 126; of which 22 were from intemperance, and 21 from consumption. The desertions during this year, amounted to 1,450.—The annual loss by each desertion, is estimated at \$81 60. It is suggested that an increase of pay to this amount might remedy this evil. [Ibid.]

FUGITIVES. Our papers have teemed with accounts of the flight of robbers and thieves from England to the United States. These adventurers generally make a bad business of it—being caught and re-exported. We desire that Mr. Bull will keep his thieves, as well as his paupers, and his fustians and calicoes, at home. We like not "free trade" in either. Suppose we send him a few cargoes of worn-out negroes, in return for his many ship loads of paupers? We don't like to owe Mr. Bull any thing. Let there be a reciprocity between Jonathan and John.

WASHINGTON. It has been observed that Washington seldom smiled and never laughed. This, however, is not correct. I was informed the other day, by a gentleman venerable for his age and information, that he had seen Washington nearly convulsed with laughter. One instance he mentioned with a great degree of *amusement*. At the time that our troops were encamped at Cambridge, information was received at head quarters that the English were about leaving Boston to give them battle. All was bustle and confusion. The soldiers were strolling over the town, and the officers were busily prepared for the approaching encounter. Some of the generals were calling for their horses, and others for their arms, and among the rest was general Green, at the bottom of the stairs, bawling to the barber for his wig—bring my wig, you rascal; bring my wig. General Lee diverted himself and the company at the expense of Green. "Your wig is behind the looking glass, sir." At which Green, raising his eyes, perceived by the mirror that the wig was where it should be—on his head.

Washington, in a fit of laughter, threw himself on the floor, and the whole group presented rather a ludicrous spectacle. However grave the commander-in-chief may have been in general, the reader will surely excuse the illustrious Washington in this deviation from his usual character. [Vermont Courier.]

MR. PLEASANTS. It will be recollected that this gentleman's case made a large figure in the famous book on "retrenchment," concocted at a late session of congress. He thus goesads his accusers—and may add another like case, if he pleases:

"We may, perhaps, be suspected, and we confess not without some reason, of denigrating Mr. Randolph through interested motives, seeing the close affinity between our respective trips to St. Petersburg and Buenos Ayres! A fellow feeling makes us wondrous kind, and nobody ought to wonder, that, palled as we have been by Jacksonians for six years, on account of that famous expedition to the La Plata, we should wish, Teucer like, to take shelter behind the seven-fold shield of Mr. Randolph."

"**CAUSE OF THE GREEKS.**" Much is said in the papers about gathering money in the United States, to raise up a college in Greece! There are thousands of persons in Maryland, Virginia, and other states, who need education as much as the Greeks. Charity is not constrained—but he that provideth not for his own household is worse than an infidel. The motive, perhaps, is good, but the direction a bad one.

FREE NEGROES. The contemplated arrangements in several of the slave-holding states, (without the shadow of right, or reason, on the subject, so far as we are informed), to cast out the free persons of color respectively, have roused the attention of the people in some of the non-slave-holding states; nor will Maryland receive those of Virginia, or Virginia those of North Carolina, or either of the slave-holding states any from elsewhere—each having the same inquietudes, and oppressed with the same real or imaginary burthen or cause of fear; though, so far, it is to the great credit of the free people of color that they have rather acted in defence of, than against, the white population, in disturbed parts of our country.

We refer to this matter just now because of the following proceeding in the legislature of Pennsylvania—and that, in legislating free people of color out of any of the states, some may be induced to ask, where shall they find a place of refuge? Shall they be hunted from state into state like wild beasts, merely because of the unfortunate color of their skins?

In the house of representatives of Pennsylvania, on the 17th ult. Mr. Vansant offered the following resolution, which was laid on the table:

Whereas, The states of Virginia and Maryland are about to pass some penal enactments for the purpose of expelling their free black population from their respective states, amounting to the number of about 125,000; whereby the adjoining states, without some countervailing provision by law, must be over-run, by an influx of ignorant, indolent and depraved population, most dangerous to the peace, rights and liberties of our citizens, and tending to undermine the fundamental principles of the republic.—Therefore,

Resolved, That the committee on the judiciary system, be instructed to inquire into the expediency of passing a law to protect the good citizens of this commonwealth against the evils arising from the emigration of free blacks, from other states, into Pennsylvania."

THE COLORED POPULATION. The best judgment of the people of Virginia and some of the other southern states, is earnestly exerted to discover what may be done with the colored population. It is a subject that must be grappled—a refusal to consider it will not prevent its accumulating force to do evil—it "let alone." But the public attention, we think, is unfortunately chiefly called to the free blacks. The elements of mischief, we apprehend, are not so much in them as in the slaves. The first have some and powerful motives to behave well, which cannot have influence over the second, when tempted to commit outrages on white persons.

Large numbers of liberated negroes have lately been sent from Virginia to Liberia. The colony is not prepared to receive one half that would be sent out in the present state of the public feeling—nor can it be, without much increased means.

ANOTHER INSURRECTION. The Western Freeman [published at Shelbyville, Tenn.] of the 6th ult. has the following:—

"We have been credibly informed, that there has been a considerable excitement among the citizens of Fayetteville, Tenn. within a few days past, in consequence of the discovery of a plot, among the negroes of that place and its vicinity, for an insurrection, all the particulars of which we have not yet learned. The plot was discovered by a female slave, who, it appears, had honey enough to communicate the foolish designs of the blacks to some white person, perhaps her master. Their object was to set fire to some building, and amidst the confusion of the citizens, to seize as many guns and implements of destruction as they could procure, and commence a general massacre. Many of those, who were

engaged in this infernal conspiracy, have been slashed with all the severity, which the iniquity of their diabolical schemes, so justly deserved."

"BLACK LIST." The New York Courier and Enquirer have a placard or broad-sheet just imported from England, which presents at one view the names of the peers who voted against "the bill," and the "annual amount of pickings," which they and their families receive. The total is £2,181,567. "We will leave the world to judge," says the handbill, "whether this way of distributing the labor of the people, is the best calculated to do good or evil to the country. No doubt they dreaded the result of a reformed parliament; therefore joined heart and hand to destroy the people's rights by opposing the reform bill."

EMIGRATION TO CANADA. The following is a schedule of the arrival of vessels and passengers, from Great Britain, at Quebec, for the last 5 years:

	Vessels.	Passengers.
1827	602	16,862
1828	701	12,697
1829	863	13,357
1830	837	21,391
1831	962	49,062

The last year is only brought to October 25th.

LAW CASE—interesting. We are indebted to a friend for the following report of a case lately decided in the supreme court of this county, which is of some importance to the mercantile community. *Boston Cour.*

Hastings et. al. vs. Peppr. This was an action upon a bill of lading signed by the defendant, master of the brig Mexican, by which he acknowledged to have received at Philadelphia, for account and risk of the plaintiffs, a box containing a quantity of the oil of cloves, put up in a glass bottle and packed with straw into said box, and the box was marked, in addition to the initials to the plaintiff, "firm, glass with care, this side up." Said box was proved to have been delivered to the defendant at the wharf in Philadelphia in good order. On the arrival of said vessel at Boston, the bottle was found to be broken and its contents had run out upon the tea whereon it was stowed in the hold of said vessel, and the marked side of said box was not upwards, but upon the side, so that the bottle instead of standing upon its bottom lay upon its side. The court decided that as the carriage is a matter of contract, and as the owner has a right to judge for himself what position is best adapted to carrying goods of this description with safety, and to direct how they shall be carried, and the carrier has a right to fix his own rate for the carriage, or refuse altogether to take the goods with such direction, if the carrier accepts the goods for carriage thus marked, he is bound to carry the goods in the manner and position required by the no fee upon the box; the storage of the box, contrary to directions, is such negligence in the carrier that he is bound to pay the loss, unless he can prove clearly that the loss was not occasioned, in whole or in part, by such disregard of the directions.

"CANTON." This is the name of a tract of land adjacent to and S. E. of the city of Baltimore, bounding on the Patuxent river. A company, with a large capital, was some time since formed to improve the ground, erect buildings and wharves, and sell out lots, &c. A great deal of work has been done in the way of levelling hills and filling up, or draining, swamps—and, at present, we are receiving a large supply of wood from Canton, the cutting and hauling of which employs many hundred persons.

APPOINTMENTS BY THE PRESIDENT. By and with the advice and consent of the senate.

Moses T. Williams, of Cincinnati, to be surveyor general of public lands, in the states of Ohio, Indiana and Michigan territory, vice William Little, deceased.

Hore Browne Trist, of Louisiana, to be surveyor general of public lands, in the state of Louisiana, vice Joshua Baker, resigned.

Edmund Christian, of Virginia, to be marshal of the United States, for the eastern district of Virginia, vice John Pogram, deceased.

Abiah Sharpe, of Pennsylvania, to be marshal of the United States, for the eastern district of Pennsylvania, vice George B. Porter, appointed governor of Michigan territory.

James Points, of Virginia, to be marshal of the United States for the western district of Virginia, vice Benjamin Redler.

Henry D. Giffin, of Pennsylvania, to be attorney of the United States for the eastern district of Pennsylvania vice George M. Dall, resigned.

Nicholas Biddle, Joshua Lippincott, John T. Sullivan, of Pennsylvania, J. Campbell, of New York, and Hugh McCleerry, of Maryland, to be directors of the bank of the United States.

John Spencer, to be receiver of public moneys for the district of lands subject to sale at Fort Wayne, in the state of Indiana, vice Jonathan McCarty, resigned.

Francis Baylies, of Massachusetts, to be charge des affaires to Buenos Ayres, vice Mr. Forbes, deceased.

John Nelson, of Maryland, to be charge des affaires to Naples.

—Davezac, of Louisiana, to be charge des affaires to the Netherlands.

COLD COMFORT. We have heard it remarked that no winter has commenced with so much rigor as the present, since 1798. By reference to the file of our paper of that year, we find that on the 18th Nov. a violent snow storm commenced, which continued with little intermission for four days. "The quantity of snow which fell seemed almost incredible, and the oldest persons assert that they never knew such a storm so early in the season."

"The country posts inform that they were obliged to ride through fields for miles together—and in some places where paths had been shovelled the snow on both sides was as high as their heads when on horseback! In some instances arches were made under the snow for entrances to houses."

In the paper of April 6, 1799, we find the following extract from a Portland paper of March 26.

"Here in the District of Maine we have had above forty heavy snow storms, since the 18th Nov. and we yet feel all the severity of winter. A great quantity of snow covers the earth, and from appearances we may be led to anticipate good sleighing until May or June! So severe a winter has not been experienced since 1784."

[Portland Gaz.]

FOREIGN NEWS.

Arrivals at New York bring Liverpool advices to the 17th November, inclusive.

ENGLAND.

Rumors of an intended resignation of the ministers had prevailed for several days, though contradicted by the Courier. The indecision in the policy of the ministry had, it was thought, strengthened the opposition. The hope of passing the reform bill by conversions among the lords, is admitted by that paper to be fallacious—twelve being the largest number of changes in favor of it, and there being three or four that formerly supported the bill who will now oppose it. Further delay in the creation of new peers, with a view of carrying the measure, is condemned.

The alarm about the cholera had greatly subsided, although there has been an increase of cases at Sunderland, and one had present-d itself at Newcastle—it being considered generally to be of domestic, and not foreign origin; though the London Courier has no hesitation in pronouncing it the Asiatic cholera, modified and changed by the climate of England.

Mr. O'Connell had proposed to form a grand national union, with a view of giving effect to the expression of opinion on political subjects.

FRANCE.

The peerage bill had not yet been presented to the house of peers. Its passage in that body was doubted, unless new peers were created, which project presented serious difficulties. A debate recently occur-

red in the chamber of deputies on the subject of ministers having received the sons of marshal Ney into the French army, from a foreign service. The propriety of which measure was conceded by the chambers.

The minister of marine had despatched telegraphic information to all the sea-ports, directing the most rigid quarantine to be enforced upon all vessels coming from England, to avoid the introduction of the cholera.

BELGIUM AND HOLLAND.

Some uneasiness was felt in consequence of the continued silence of the king of Holland upon the subject of the approval of the treaty between these two powers, and a report that he had appealed to the emperor of Russia—it was, however, thought that he would ultimately accede to the terms of the treaty.

SPAIN.

There had been some movements in the army of Spain, which had given rise to active speculations among the political circles of Paris, as to the objects of Ferdinand.

RUSSIA AND POLAND.

There is nothing from these countries, except the official report of prince Paskewitch, of the storming and capture of Warsaw. The whole loss of the Russian army is computed at 3,000 killed, including 63 officers, and 7,500 wounded, including 445 officers.

TURKEY.

There had been an extraordinary phenomenon in Constantinople. After an uncommonly sultry night, threatening clouds rose about six in the morning of the 5th of October in the horizon to the south west, and a noise between thunder and tempest was heard, and yet not to be compared with either—it increased every moment, and the inhabitants, roused from their sleep, awaited with anxious expectation, the issue of this threatening phenomenon—lumps of ice soon fell, as large as a man's foot, falling first singly, and then like a shower of stones, which destroyed every thing that they came in contact with. Some of these were picked up an hour afterwards, which weighed above a pound.

This dreadful storm passed over Constantinople and along the Bosphorus, over Thierapia, Bujukdere, and Belgrade, and the fairest, nay, the only hope of this beautiful and fertile tract, the vintage, just commenced, was destroyed in a day. Animals of all kinds, and even some persons, are said to have been killed; an innumerable quantity are wounded, and the damage done to the houses is incalculable. Besides that, scarcely a window has escaped in all the country. The force of the falling masses of ice was so great that they broke to atoms all the tiles on the roofs, and shattered, like musket balls, planks half an inch thick. Since that day the rain has not ceased to pour down in torrents, and, from the slight way in which the houses are built, almost wholly consisting of windows, and with very flat roofs that have nothing to keep off the wet besides tiles, innumerable families are not much more comfortable than in hivouae.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

December 30. Several petitions of a private character, and others relative to the public lands, were presented and referred.

Mr. *Hayne* reported a bill regulating the duties and providing for the compensation of pursers in the navy.

Mr. *Johnston* obtained leave to introduce a bill to authorize the inhabitants of the state of Louisiana, to enter the back lands—twice read and referred.

The *Vice President* laid before the senate sixty copies of a map of the north eastern boundary, now in dispute between the U. States and Great Britain—transmitted by the secretary of state, in conformity with a resolution of the senate. The letter accompanying the same, being read.

On motion of Mr. *Holmes*, it was resolved, that five hundred additional copies of the engraved impression of the disputed boundary, be furnished by the secretary of state, for the use of the senate.

The bill to abolish the duty on alum salt, having received its second reading, a motion was made by Mr. *Benton* to refer it to the committee on finance.

Mr. *Dickerson* moved to refer the bill to the committee on manufactures—saying:

"In relation to manufacturers, it was of high importance. It was a question whether the policy of protection in regard to this article should be abandoned. Though the bill embraced only that kind of salt which was obtained by evaporation with solar heat, yet in its effects, it extended also to that sort which was obtained by evaporation with fire. It affected the whole subject of manufacture of salt, and aimed at its total destruction."

Mr. *Clay*.—"This was not a time to discuss the subject of the bill; but he would remark that, in his opinion, it was inexpedient to legislate on this subject again, without waiting to see the operation of the bill of the last session. It was a subject of the greatest importance; for salt, he said, belonged to those essential articles of manufacture which it became us to foster by legislation. He was aware of the necessity of adapting the revenue of the country to the wants of the country, upon the extinction of the public debt, and he was ready to consider the debt as extinguished, and to proceed at once to the formation of the system on which the revenue was heretofore to be based. But if single articles are taken up, and, one by one, referred to the committee on finance, it would deprive us of an opportunity to form any system upon a general view of the whole ground. He wished that salt, iron, molasses, hemp, cotton, leather, all the essential articles of manufacture, might be embraced in one view."

Col. *Benton* "called on the American senate, who were willing to relieve the people—and, he said, no people in the world, except the English, were so heavily taxed as we were, and this was the opinion of Talleyrand—he called on every member to look at the practical consequences of this odious and oppressive tax. On the same principle on which we retained the duty on salt, we might also retain every other duty. If it be proposed to reduce the duty on worsted stuff goods, an article of universal use, it will be objected to, because it will diminish the consumption of woollens. If the reduction of the duty on tea be proposed, it will be objected to, for the reason that it will diminish the consumption of mush and milk, &c. The doctrine might be carried to that extent, and the whole burden will be kept up. The greatest sensibility was felt and expressed towards the interest of manufactures. He hoped he felt a proper interest in that branch of industry; but he also felt the same interest in agricultural, commercial and navigating pursuits. These have their degrees of importance. If he were to class them, he would place agriculture first, as the basis and source of all wealth. Manufactures, which changed the form of productions, so as to adapt them to the convenience and comfort of man, he placed second; commerce, which changed the place of all articles of consumption, and promoted civilization, stood next in his estimation. They were all great interests and entitled to our support. The agricultural interests were, however, chiefly concerned in the salt duty. The salt duty was to be kept up for the benefit of a few salt-makers in North Carolina and New York, to the prejudice of the vast agricultural interests of the west. While two hundred thousand dollars a year was drawn from the government as a drawback on fish, the west, from which ten times the value of all the fish was exported in beef, &c. was to have no relief whatever. He hoped to have an opportunity to prove what he had said before a select committee; for he was sufficiently experienced in legislation to know that argument was of no avail."

Mr. *Clay*.—"Sir, no one is more sensible than I am, of our duty to take care of the agricultural interests; and it was because he believed the success of manufactures essential to the prosperity of agriculture, that he had endeavored to promote the interest of manufactures. The gentleman from Missouri had argued the question as if it was certain that salt would be rendered cheap by the reduction or abolition of the duty. He wishes to make it cheaper, so do I. We repealed the duty, in part, in May, and what has been the effect? The price of salt is now higher than it has been for fifteen years past. In this case then the reduction of the duty was not followed by a reduction of price. Even an augmentation of duty sometimes occasions a reduction of price. The reason that the price of salt had not fallen,

was, that our navigation had been profitably employed. The Liverpool salt is introduced only as ballast; and the salt of the Bahamas is not imported, when any better freight can be procured. The gentleman compares our salt duty with the salt tax of England. Can there be any comparison between our moderate duty and the tax of fifteen shillings a bushel, which was its amount when he was in England? He knew not what might have been the oppression of the *gabelle* in France, to which the gentleman also compared our salt duty; but he did know that the prosperity of this country took its date from the adoption of the protective policy, of which this salt duty formed a part. To the tariff, not of '16, but of '24, we were indebted not only for our prosperity, but for the extinction of the public debt, which was now at hand. He was aware that this discussion belonged to another time, when, no doubt, the subject would undergo a most rigid examination; but he must be allowed to comment on the remark made by the gentleman from Missouri, that alum salt is exclusively required for the western consumption. I undertake to say, said Mr. C. that not one bushel in fifty thousand of this sort of salt is used in the west. I am a farmer, and I never saw a bushel of it on my farm. He had witnessed, in the west, the reduction of the price of salt from fifteen dollars a bushel to seventy-five cents, which was the present price of the Kanawha salt, in consequence of the protection which had been afforded to the manufacturers of salt in that country."

The question being taken on the first motion, (to refer the bill to the committee on finance), was decided in the negative, as follows:

YEAS—Messrs. Benton, Bibb, Brown, Forsyth, Grundy, Hayne, Hill, Kane, King, Mangum, Miller, Moore, Smith, Tazewell, Troup, Tyler and Whit—17.
NAYS—Messrs. Bell, Buckner, Clay, Dallas, Dickerson, Dudley, Foot, Frilinghuyten, Hanna, Hendricks, Holmes, Johnston, Knight, Marcy, Prentiss, Robbins, Robinson, Ruggles, Symour, Silsbee, Tomlinson and Wilkins—22.

The bill was then referred to the committee on manufactures.

Mr. Johnston submitted a resolution requiring the secretary of the treasury to report to congress, such further information as he may have received, since his report of Dec. 1830, relative to the claims of merchants, for return of duties paid under the law of May, 1828.

Several bills for the relief of private individuals, were received from the house of representatives—severally read twice and referred.

On motion of Mr. Holmes, it was ordered, that when the senate adjourns, it be to Tuesday next.

The senate then proceeded to the consideration of executive business, and sat with closed doors until 4 o'clock; and then adjourned to Tuesday.

January 3. Mr. Huggamun, of Louisiana, and Mr. Tipton, of Indiana, appeared to day, were qualified and took their seats.

Several memorials and petitions were presented—among them one by Mr. Dallas from sundry citizens of Philadelphia, asking an appropriation for improving the navigation of Back creek—another by the same gentleman, as also one by Mr. Silsbee, from certain citizens, asking for the repeal of the duty on imported coal.

Mr. Hayne reported a bill to provide for the distribution of the duties of the commissioners of the navy—and a bill concerning navy agents—severally read and ordered to a second reading.

The vice president communicated a report from the secretary of the navy shewing the names and salaries of the clerks in his department—also a report from the general land office on the subject of unconfirmed land claims in Missouri—severally ordered to be printed.

The vice president also communicated a report from the secretary of state, shewing the names and salaries of the clerks in his department.

The vice president also communicated a report from the secretary of the senate and clerk of the house of representatives of their proceedings under the act of congress of 2d March, 1831, directing a subscription to the compilation of congressional documents, proposed to be published by Gales & Seaton—shewing the order of arrangement of the intended publication, &c.

The report was ordered to be printed.

Several bills providing for the adjustment of private claims were reported, twice read, and referred.

Mr. Marcy reported a bill providing for the final settlement of the claims of states for interest on advances to the United States, made during the last war, without amendment.

The resolutions submitted on Friday last, by Mr. Johnston, Mr. Hanna and Mr. Hendricks, were severally considered and agreed to.

Mr. Johnston, of Louisiana, submitted the following: Resolved, That the committee on the public lands be instructed to inquire into the expediency of granting to the territory of Arkansas, one thousand acres of the unappropriated land below and adjoining the town of Little Rock, for the purpose of building a jail and court house, for the use of the United States and said territory; and that said land be selected by the governor of said territory, and laid off into lots, of such size as he may deem expedient, and sold when said governor may think it proper to be done; and the surplus, if any, after building said jail and court house, to be appropriated in building a house for the use of the present and future governors of Arkansas.

Mr. Dallas was appointed a member of the committee on the militia. The bill providing for the compensation of the pursers of the navy was taken up, and, after some remarks from Mr. Hayne, was, on motion of Mr. Dickerson, postponed until this day week.

The senate then proceeded to the consideration of executive business, and sat with closed doors for some time, when the senate adjourned.

January 4. The vice president communicated a report of the navy department, shewing the contracts and purchases of that department for 1831.

The vice president also communicated a letter from Messrs. Gales & Seaton, relative to the American state papers publishing by them, under a resolution of the last congress, together with two volumes of the work.

On motion of Mr. King, of Alabama, the letter was ordered to be printed, and was referred to the library committee.

Various private memorials were presented, and amongst them one from sundry lieutenants in the navy, praying for an alteration in the present organization of the naval establishment.

Mr. Grundy reported the bill, without amendment, for laying out and constructing a road from Lime creek to the Chatahochee, &c.

Mr. Hayne reported a bill to establish the office of surgeon-general of the navy.

Mr. Benton reported a bill for the erection of barracks, quarters and store houses, and the purchase of a site, in the vicinity of New Orleans. Also the bill providing for the organization of the ordnance department.

Mr. Benton also reported a bill to reduce the duty on Indian blankets and certain other Indian goods, which was read.

The several resolutions submitted yesterday by Messrs. Holmes, Johnston, Forsyth and Wilkins, were considered and agreed to.

The bill providing for the final settlement of the claims of states for interest on advances to the United States, made during the last war, was taken up in committee of the whole, and after some remarks by Messrs. Chambers and Forsyth, was ordered to be engrossed for a third reading.

The bill concerning navy agents, was made the order of the day for Friday next.

After the consideration of executive business,

The senate adjourned.

January 5. The vice president communicated a letter from the secretary of the treasury shewing the annual amount of drawback, of bounties on salted provisions, pickled fish, and allowances to vessels employed in the fisheries from 1792 to 1830 inclusive—also quantities of fish, pork, beef and bacon exported during the same period.

The bill to reduce the duty on Indian blankets and certain other Indian goods was read the second time; when

Mr. Benton moved to refer it to the committee on finance—Mr. Dickerson moved its reference to the committee on manufactures.

An interesting debate ensued, and on the question being taken to refer the bill to the committee on Indian affairs, was decided in the negative by a vote of, yeas 17, noes 25.

The question then occurred on referring it to the committee on manufactures—when

A debate again ensued—and on the question being taken, it was decided to refer the bill to the said committee, by the following vote,

YEAS—Messrs. Bell, Buckner, Clay, Dallas, Dickerson, Dudley, Ewing, Foot, Frelinghuysen, Hendricks, Holmes, Johnston, Knight, Marcy, Naudain, Prentiss, Robbins, Robinson, Ruggles, Seymour, Silsbee, Tomlinson, Waggaman, Webster and Wilkins—25.

NAYS—Messrs. Benson, Bibb, Brown, Ellis, Forsyth, Grundy, Hayne, Hill, King, Mangum, Miller, Moore, Smith, Tazewell, Tipton, Tyler and White—15.

So the bill was referred to the committee on manufactures.

The bill providing for the settlement of the claims of states for interest for money advanced during the late war, was passed and sent to the other house.

After disposing of various private bills, the senate went into the consideration of executive business.

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Dec. 30. On motion of Mr. Drayton the library committee were instructed to inquire into the expediency of subscribing to the continuation of Waterston and Vanzandt's tabular statistics, and of purchasing the remaining copies which the compilers may have on hand.

Various resolutions contemplating the adjustment of private claims were presented read and referred.

On motion of Mr. McCarty, the committee on internal improvements were instructed to inquire into the expediency of granting an appropriation for the further extension of the Cumberland road in the state of Indiana.

On motion of Mr. Watmough, it was

Resolved, That the committee on commerce be instructed to inquire into the expediency of authorizing the collector at any port to receive the bonds of importers not resident there, where the same shall be accompanied by a certificate from the collector of the port at which said importers reside, that the bondmen are good to make such bond payable at the place of importation.

On motion of Mr. Wing, it was

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of further extending the improvements at La Plaisance bay, at the head of Lake Michigan, and of connecting, by a short canal, the waters of the bay with the river Raisin.

By the same, and ordered to lie one day:

Resolved, That the secretary of war be directed to report to this house the plans and estimates of major Maurice, of the engineering corps, in reference to farther improvements at and near La Plaisance bay harbor, in the territory of Michigan.

Mr. Davis reported the bill from the senate to provide for the reports of the decisions of the supreme court, without amendment.

A number of reports, accompanied by bills for the settlement of private claims, were made, read and referred.

Mr. McDuffie reported bills making appropriations for the Indian department and for the fortifications for the year 1832, which were severally twice read and committed.

Mr. Blair, of Tennessee, from the committee on internal improvements, to which the subject had been referred, reported a bill to appropriate certain lands within the state of Alabama, for the purpose of improving the navigation of the Tennessee and Coosa rivers, and connecting their waters by a canal or rail road; which was twice read and committed.

Mr. E. Everett, from the committee on the library, reported a bill, providing for the purchase of certain copies of the debates on the federal constitution, which was twice read and committed.

The debate on the resolution offered by Mr. Hunt, and proposed to be amended by Mr. Duncan, in relation to the disposition to be given by the public lands, was resumed.

Mr. Root of New York, Mr. Mitchell, of S. C. Mr. Taylor, of New York took part in the debate—and on motion of Mr. Taylor, the resolution, together with the amendments, were referred to the committee of the whole house on the state of the union.

The house then went into the consideration of private business, when eleven bills passed through committees of the whole house, and were severally ordered to be engrossed for a third reading.

On motion of Mr. Hilde, of Georgia, the house then adjourned till Tuesday next.

Tuesday, Jan. 3. Mr. Drayton reported a bill to increase the pay of the master armorers in the service of the United States.

On motion of Mr. Burges,

Resolved, That the committee on the judiciary be directed to inquire into the expediency of further extending, for the term of two years from the expiration of the present session of this congress, the law of May 16th, 1826, providing for extending the time allowed for redemption of lands sold, or which may be sold for non-payment of taxes under the law referred to therein, and in manner therein mentioned.

On motion of Mr. Pearce, the committee of commerce were instructed to inquire into the expediency of making an appropriation for the erection of spindles, on the Hall Way Rock, so called, near the south end of the island of Providence, in Narragansett bay, on the Little Lane Rock, in the harbor of Newport.

On motion of Mr. Hogan, the committee on internal improvements were instructed to inquire into the expediency of constructing a breakwater for the protection of the harbor of Plattsburg, and of erecting a light house on Cumberland Head, on Lake Champlain.

On motion of Mr. Taylor, the committee on the post office and post roads were instructed to inquire into the expediency of revising the act to regulate and fix the compensation of the clerks in the post office department, upon an equal footing with the clerks in the other departments.

On motion of Mr. Dearborn, the committee on commerce were instructed to inquire into the expediency of requiring the secretary of the treasury, annually to prepare and lay before congress statistical accounts of the commerce and navigation between the several states, for each preceding year, in the manner prescribed by the act of February 10, 1820, for the commerce with foreign nations.

Various resolutions were moved to place certain individuals on the pension list.

On motion of Mr. Everett, the committee on internal improvements were instructed to inquire into the expediency of making an appropriation for the improvement of the navigation of the Connecticut river.

On motion of Mr. Gilmore, the same committee was instructed to make a similar inquiry concerning the improvement of the navigation of the Alleghany river.

Mr. Pendleton, of New York, submitted for consideration the following resolutions:

1. Resolved, That it is expedient to bring in a bill to regulate and declare the appellate jurisdiction of the supreme court of the United States, in criminal cases arising in the state courts.

2. Resolved, That in the proposed bill, the provisions of the 25th section of the act "to establish the judicial courts of the United States," passed September 24, 1789, shall be declared to apply to the final judgments in criminal cases, which are now depending, or which shall hereafter arise in the state courts.

3. Resolved, That in the proposed bill, adequate provisions shall be inserted to enforce the return of all process and proceedings in the court below to the supreme court of the United States.

4. Resolved, That in the proposed bill, it will be expedient to provide, that in all cases a writ of error to be allowed in pursuance of the act, shall have the effect to suspend the execution of the judgment complained of, and that adequate penalties shall be imposed upon any person or persons who shall, in this respect, violate the provisions of the act.

These resolutions Mr. P. moved to refer to a committee of the whole on the state of the union.

Mr. Bendaley, of New York, objecting in the phraseology of the resolutions, wished to amend them so as to limit them to an instruction to inquire into the subject.

The speaker said that no amendment could now be made, because the pending question was on an amendment to a committee of the whole, for the purpose of being there considered.

Mr. Carson, of North Carolina, objected to their going to a committee of the whole in the present stage.

Mr. Pendleton intimated that he had no design, in the motion which he had made, to ask the house at all to commit itself at present upon the points embraced in his proposition.

Mr. Davis, of Massachusetts, not willing to act hastily in a matter of such importance as that now under consideration, moved that the resolutions lie on the table and be printed for the use of the house.

Mr. *Everett*, of Massachusetts, referring to the difficulty experienced in getting up again business once laid on the table, and to the impropriety of giving the *go by* to a subject of such high importance as that now under consideration, wished his colleague to withdraw his motion, and let these resolutions go to a committee of the whole, as proposed by the mover.

Mr. *Davis*, yielding to the request of his friend, withdrew his motion.

Mr. *Wilde*, of Georgia, renewed the motion to lay the resolutions on the table.

Mr. *Everett*, of Mass. then said that this was a question so important, under the circumstances, that he left it to be his duty to ask that it be decided by yeas and nays.

The yeas and nays were ordered accordingly; and the motion to lay upon the table not admitting of debate, the question was immediately taken up on that motion, and decided as follows:

Yeas 99 nays 89.

So the motion of Mr. *Pendleton* was ordered to lie on the table.

On motion of Mr. *Barber*, it was resolved, that the secretary of war be directed to report a statement of the claims of the state of Connecticut against the United States for disbursements made by said state, and for the services and expenses of her militia, during the late war, and of such proceedings as may have been had at the department of war in relation thereto.

Mr. *Mercer* submitted the following resolution:

Resolved, That as soon as the public debt of the United States shall have been discharged, or such provision made therefor as shall release the public lands from the claims of the public creditors, the nett proceeds of the sales of those lands shall be applied, under such regulations as the legislatures of the several states and territories may respectively provide, in the proportion of one moiety to popular education, and the other to the removal of such free people of color, thereof, as may desire to emigrate to Liberia, in Africa, or elsewhere, beyond the limits of the United States and of their territories.

Resolved, That in effecting the preceding purposes, the proceeds of the sales of the public lands be distributed among the several states and territories according to their respective numbers.

Mr. *M.* moved that it be committed to a committee of the whole house on the state of the union; when

A motion was made by Mr. *Clay*, that it be laid on the table; upon which latter motion,

Mr. *Williams*, of North Carolina, called for the yeas and nays, which were ordered; but before the question was taken, the house adjourned.

Wednesday, Jan. 4. The speaker laid before the house a report from the department of state, shewing the aggregate number of persons in each state, according to the 5th census, as required by a resolution of Dec. 1831. Also, a report of the secretary of war transmitting a plan and estimate for fort Griawohl, on Groton Heights, in the state of Connecticut. Also, a report from the secretary of the navy accompanied by a statement of the contracts and purchases made during the year 1831, on account of the naval service.

The speaker laid before the house a letter from the secretary of the senate and clerk of the house of representatives, accompanied by a report of their proceedings under the act of March, 1831, relative to the publication of congressional documents. Also, a letter from Gales & Seaton on the subject of the documents publishing by them, together with the two first volumes of the work.

The house resumed the consideration of the resolutions submitted by Mr. *Mercer*, the question being on the motion to lay the resolution on the table, which was determined in the affirmative. Yeas 124, nays 54.

Mr. *Drayton* reported a bill to authorize the erection of an armory on the western waters of the United States.

Mr. *White*, of Louisiana, made a report on the petition of Duff Green, accompanied by a bill authorising a stereotype edition of the laws of the United States.

Mr. *Polk* made a report, accompanied by documents and a bill for the apportionment of representatives among

the several states, according to the 5th census—twice read and committed.

Mr. *Allen* reported a bill granting a township of land for the benefit of the Transylvania university of Kentucky—twice read and committed.

Mr. *Mercer* reported a bill providing for the extension through the territory of Arkansas, the road from Washington to Jackson, in said territory—twice read and committed.

Mr. *Drayton* made an unfavorable report on the memorial of the legislature of the territory of Arkansas.

On motion of Mr. *Leavitt*, the committee on military affairs was instructed to inquire into the expediency of increasing the appropriation for arming the militia.

On motion of Mr. *White*, of Louisiana,

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of extending the provisions of the act of the 34th May, 1834, entitled "an act to improve the navigation of the Ohio and Mississippi rivers," so as to embrace in its operations the deepening of the bar at the mouth of the Mississippi.

On motion of Mr. *Drayton*,

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of increasing the pay and emoluments of the officers of the United States navy, so as to place them upon an equality with officers of the same rank in the army of the United States.

On motion of Mr. *Lyon* the committee on internal improvements were directed to inquire into the expediency of improving the navigation of Cumberland river,

On motion of Mr. *Wickliffe*

Resolved, That the committee on military affairs be instructed to inquire into the expediency of vacating all present, and prohibiting all future appointments in the staff of the army from the captains of the army; and to require that each captain shall be kept with and in command of his appropriate company. That the executive be vested with a discretion to appoint from the non-commissioned officers of the army, when they may be found worthy of promotion, a certain portion of the second lieutenants. That, in order to enable the president to do this, the committee further inquire into the expediency of reducing the number of cadets in the military academy at West Point, and to prohibit the appointment of any cadet who has not attained the age of 17 years.

Mr. *Boone* moved an inquiry into the propriety of improving the Wabash river.

The house resumed the consideration of the resolution moved several days ago by Mr. *Blair*, as modified by Mr. *Vinton*, with amendments as proposed by Mr. *Duncan*, and Mr. *Mitchell*, of S. C. proposing certain modes for hereafter disposing of the public lands, appropriating them to the use of the several states for the purposes of education and internal improvement, which, after a slight debate, was, on motion of Mr. *Wickliffe* ordered to be laid on the table, by a vote of yeas 109, nays 79.

A great many bills providing for the adjustment of private claims, were considered and disposed of.

The house adjourned.

Thursday, Jan. 5. Mr. *Drayton* reported a bill making further provision for the military academy at West Point.

The resolution of Mr. *Mercer*, relative to amount of expenditures on breakwaters and moles, &c. was taken up and agreed to.

The resolution relative to newspaper postage was taken up and after discussion, laid on the table.

The resolution moved by Mr. *Cambreleng*, on the 27th ult. relative to the amount of nett revenue collected on woollens, cotton and certain descriptions of iron, was considered, amended, and agreed to.

The speaker laid before the house a statement from the secretary of the treasury of the cases in which duties had been returned.

The bill for settling the claims of South Carolina for advances during the war, was considered, and, after a warm debate on a motion of reference, the house adjourned without coming to a decision.

[Some particulars of this day's proceedings in both houses, will be given in our next.]

MASONIC.

Address to the people.

While the public mind remained in the high state of excitement, to which it had been carried by the partial and inflammatory representations of certain offences, committed by a few misguided members of the masonic

institution, in a sister state; it seemed to the undersigned [residents of Boston and vicinity] to be expedient to refrain from a public declaration of their principles or engagements as masons. But believing the time to be now fully come, when their fellow citizens will receive, with candor, if not with satisfaction, a solemn and unequivocal denial of the allegations, which during the last five years, in consequence of their connexion with the masonic fraternity, have been reiterated against them, they respectfully ask permission to invite attention to the subjoined

DECLARATION.

Whereas, it has been frequently asserted and published to the world, that in the several degrees of freemasonry, as they are conferred in the United States, the candidate, on his initiation and subsequent advancement, binds himself, by oath, to sustain his masonic brethren in acts which are at variance with the fundamental principles of morality, and incompatible with his duty as a good and faithful citizen; in justice therefore to themselves, and with a view to establish TRUTH and expose IMPOSITION, the undersigned, many of us the recipients of every degree of freemasonry, known and acknowledged in this country, do most solemnly deny the existence of any such obligations in the masonic institution, so far as our knowledge respectively extends, and we as solemnly aver that, no person is admitted to the institution, without first being made acquainted with the nature of the obligations, which he will be required to incur and assume.

Freemasonry secures its members in the freedom of thought and of speech, and permits each and every one to act according to the dictates of his own conscience in matters of religion, and of his personal preferences in matters of politics. It neither knows, nor does it assume to inflict upon its erring members, however wide may be their aberrations from duty, any penalties or punishments, other than those of admonition, suspension, and expulsion.

The obligations of the institution require of its members a strict obedience to the laws of God and of man. So far from being bound by any engagements inconsistent with the happiness and prosperity of the nation, every citizen who becomes a MASON, is doubly bound to be true to his God, to his COUNTRY, and to his FELLOW-MEN. In the language of the "ancient constitutions" of the order, which are printed and open for public inspection, and which are used as text-books in all the lodges, he is "required to keep and obey the moral law; to be a quiet and peaceable citizen; true to his government and just to his country."

Masonry disdains the making of proselytes. She opens the portals of her asylum to those only who seek admission, with the recommendation of a character unspotted by immorality and vice. She simply requires of the candidate, his assent to one great fundamental religious truth—the existence and providence of God, and a practical acknowledgment of those infallible doctrines for the government of life, which are written by the finger of God, on the heart of man.

Entertaining such sentiments as masons, as citizens, as Christians, and as moral men, and deeply impressed with the conviction that the masonic institution has been, and may continue to be, productive of great good to their fellow-men; and having "received the laws of the society, and its accumulated funds, in sacred trust for charitable uses," the undersigned can neither renounce nor abandon it. We most cordially unite with our brethren of Salem and vicinity, in the declaration and hope that, "should the people of this country become so infatuated as to deprive masons of their civil rights, in violation of their written constitutions, and the wholesome spirit of just laws and free governments, a vast majority of the fraternity will still remain firm, confiding in God and the rectitude of their intentions, for consolation, under the trials to which they may be exposed."

The preceding declaration is signed by 1,300 or 1,400 persons. We have not exactly counted them up—but such is about their number. Among the names are many of the venerable remnants of the revolution—many aged more than "three score and ten"—with a large

amount of clergymen of different persuasions, and some of the most honored and distinguished gentlemen of Massachusetts, of all political parties, except the anti-masonic. It should be observed that the list is confined to Boston, and its vicinity, and the *Centinel* says—"The number of signers could easily have been augmented to the number of all respectable masons throughout the state, but it was not deemed necessary to delay the publication long enough to collect their names. We invite the candid attention of all classes of men, whether masons or anti-masons, to the declaration."

The same paper adds—"It is not for the purpose of any ostentatious display that the declaration is now made. At a time when a relentless persecution for political purposes has been attempted to be excited against a benevolent society, the existence of which, like all other societies, is guaranteed by our laws and constitutions—it has been deemed proper for its own members to come forth and state their sentiments and views under their own proper signatures, and to appeal to the candor and common understandings of the community, against the calumnies and obloquies, which have been heaped upon them by unprincipled men for political purposes. On the characters of the signers, it is needless to dilate; they form a large proportion of the friends and neighbors of every reader in the community. Let them have credit according to the character of their lives."

MR. CLAY AND MASONRY.

From the *New York Commercial Advertiser*.

We never pretended that Mr. Clay had denounced the principles of free masonry; nor did we ever believe that he would, at least under the circumstances in which he has been placed by his friends, come forth with a denunciation of the institution, when the only effect would be to incur fresh personal attacks, and throw his motives open to suspicion. But we did believe that Mr. Clay, in common with a large portion of the best and most intelligent masons throughout the union, had ceased to have any active participation in the transactions of the society, under a conviction that all of its useful and benevolent purposes were better fulfilled by the agency of more recent and more efficient institutions; and this impression has been more strongly confirmed by the late letters of gen. Porter and judge Rochester, on this subject. Indeed, from the representations uniformly made by Mr. Clay's particular friends, as well as from the tenor of his letter to the anti-masons, as one which appertains solely to our social and moral relations and responsibilities, and as having nothing to do with our political duties; and that, in this point of view, he deemed it to be not only his right, but his duty, to resist every attempt, whether made by masons or anti-masons, to demand from any individual citizen, for political purposes, a public exposition of his sentiments on subjects which have no legitimate connexion with political duty. With these few brief remarks, intended at once as a vindication of our former assertions upon this subject, and also as a just exposition of what we believe to be the feelings of Mr. Clay, we subjoin the following documents—the originals of which may be seen at this office.

I do hereby certify that the honorable Henry Clay did legally and honorably deinit* from Lexington lodge No. 1, "on the 18th day of November, A. D. 1824." The foregoing is truly extracted from the records of said lodge.

Given under my hand, and the seal of the lodge annexed thereto, this 25th day of November, A. D. 1831.

JOHN HENRY,

Secretary Lexington lodge No. 1.

I, Harry J. Bodley, grand secretary of the grand lodge of Kentucky, do hereby certify that it appears from the returns of Lexington lodge No. 1, (which is subordinate to the grand lodge of Kentucky), that John Henry, whose name is attached to the foregoing certificate, is secretary of Lexington lodge No. 1; and that it further appears,

*To deinit, according to Webster, is to let fall; to depress; to submit; but is not used, excepting as a masonic term. Its meaning, in free masonry, is to let fall; to relinquish; give up; or withdraw from.

from the proceedings of said grand lodge, that Henry Clay demitted from said lodge No. 1, between August 1834, and August 1835.

In testimony whereof I have hereto set my hand, and affixed the seal of said grand lodge, this 26th November, 1831.

H. J. BODLEY, *grand sec'y.*

In justice to Mr. Clay, we may as well mention the fact, that he was in no wise necessary to the obtaining the foregoing certificates by us; nor did he know that they were in our possession until we had had them upwards of two weeks, nor until the above article was prepared for the press.

The following may be added as one of the "signs of the times"—we have omitted, however, a few words because of their political and personal severity, intending only to present the fact stated:

The Morristown (N. Jersey) Palladium, a respectably conducted and well established paper, took an early and decided stand for *anti-masonry*, and of course for anti-masons as candidates for office—this ground was pertinaciously maintained until last week—when it concluded the publication of the Baltimore national republican convention address, with some appropriate remarks, and the following declaration:

"Many of the substantial supporters of this press will, no doubt, be disappointed in the decision of the convention—indulging the hope that the opposition to the present administration would be concentrated on the distinguished individual who received the nomination of the anti-masons some months since. But it is determined otherwise, and the political influence of this state will go for CLAY—the constitution—the American System—and the supremacy of the law"—or for "Old Hickory," and the consequent continuance of the abuses of his administration. Notwithstanding our aversion to the principles of speculative freemasonry, we never can consent to pursue a course that may have a tendency to augment the influence of

We have, therefore, after mature deliberation, and candidly weighing the honest scruples and objections of the friends of Mr. Wirt, concluded heretofore to sail under the broad banner of "CLAY AND THE CONSTITUTION."

MR. GIRARD'S WILL

The Philadelphia (Poulson's) Advertiser contains the following authentic abstract from the will of the late Stephen Girard. The editor remarks:—"There is not perhaps, an instance recorded in the history of the world, of one human being devoting such an immense amount of wealth for the benefit of his fellow men, as the venerable deceased has given to the city of his adoption, for the laudable purpose of its improvement, and for the melioration of the condition of its inhabitants."

Stephen Girard's will,

Gives to the *Pennsylvanian* hospital, subject to the payment of an annuity of \$20 to a female slave, whom he sets free \$30,000
To the *asylum for the deaf and dumb* 20,000
To the *orphane* asylum 10,000
To the *controllers of the public schools* 10,000
To the *city corporation*, to be invested, and the interest to be applied, annually, in the purchase of wood for the poor 10,000
To the *society of ship masters* 10,000
To the *free masons' lodge* 20,000
For a school to be erected in the township of Passaic, for poor white children 6,000
Sundry legacies to individuals amounting to 120,000
Several annuities amounting to about 4,000
To the *city of New Orleans* 1,000 acres of improved land in the territory of Mississippi, and
One-third of 207,000 acres of unimproved land in the same territory,
To the *city of Philadelphia* the remaining two-thirds of the said unimproved lands. [This land is said to be now worth \$500,000.]
To the *city of Philadelphia*, stock in the Schuylkill navigation company 110,000

[Worth in the market considerably more than this sum.]

For a college for poor white male children and its proper endowments, the sum of 2,000,000

To the *city of Philadelphia*, for certain city improvements, to be invested, and the interest to be annually applied 500,000

All his remaining estate, real and personal (no part of the real estate to be sold) is to be applied as follows:—in further aid of the said college—improvements of the city, and in the relief of the taxes—This estate is very large, but not yet valued.

To the *commonwealth of Pennsylvania*, to be applied to internal improvements by canals, provided the legislature shall, within one year from Stephen Girard's decease, pass laws authorizing the city of Philadelphia to make the intended improvements—otherwise to the United States for the same object 300,000

The gentlemen hereafter named are the executors of his will.—Timothy Paxson, Thomas P. Cope, Joseph Roberts, William J. Duane, John A. Barclay.

[The whole amount given to his relations, appears to be involved in the 120,000 dollars above stated—but he had made partial provision for some of them heretofore.

It has been said that he gave an annuity of 1,500 to each of his sea-captains: and the sum of \$500,000 to the city of New York, where he first landed in America.

We shall, probably, have particulars alter a while. The manner in which this large property has been devised, renders it publicly interesting.

The total value of the donations to the college, may amount to twice as much as the money given.

The value of the estate of Mr. Girard is variously stated—the accounts run from six to eleven millions of dollars.

The trustees have stopped the operations of his bank, as to the reception of fresh deposits, or discounts of new paper.

It is computed that twenty thousand people attended the funeral of Mr. Girard, in their variously associated or individual characters; and the flags of the shipping in the harbor were at half-mast for three days. These marks of respect were well deserved. Mr. Girard was a blessing to *working-men*, of all descriptions; and his example had a powerful effect on the conduct of other capitalists, to circulate their money.]

[Mr. Girard has prohibited the entry of any ecclesiastic, missionary or minister, of any sect whatever, *even as a visitor*, on the premises of the college which he has endowed.]

BALTIMORE AND OHIO RAIL ROAD.

Office of the Baltimore and Ohio Rail Road Company, 20th Dec. 1831.

To his excellency the governor and the honorable executive council of Maryland:

Since the last report of the president and directors of the Baltimore and Ohio rail road company to the executive of the state, the operations of this company have been continued with unremitting activity and the rail road has been opened for travel as far as to Frederick, a distance of 61 miles from the depot of the company at the head of the basin in the city of Baltimore; a single line of tracks has also been so nearly completed to the "Point of Rocks," on the Potomac river, as to afford a full assurance that the communication between the tide waters of the Chesapeake bay and that river, will very soon be opened through this channel.

The president and directors believe it due to the interests of the great work over which they preside, as well as to the legislature of the state, that they should, on this occasion, refer to some of the circumstances which led to the formation of this company.

The establishment of an efficient, speedy and economical means of intercommunication between the different sections of our country, had been for a long time deemed of such importance, as to involve, not only the well being, but perhaps the very existence of our social compact. The citizens of Baltimore, deeply sensible of

this truth, and appreciating the great benefits which would be derived from a participation in the commerce of the valleys of the Ohio and Upper Mississippi, which commerce has been forced to seek an outlet through several difficult and circuitous channels, were desirous of securing a more direct and easy means of communication with those fertile regions. It was therefore with intense anxiety they awaited the promulgation of the official report of the U. States engineers upon the subject of the proposed canal between the river Ohio and the waters of the Chesapeake bay. The facts however disclosed in that report only served to dissipate whatever favorable anticipations had been cherished in regard to a canal communication with the west. They saw with dismay, that a canal encumbered with 400 locks, a considerable portion of which would be elevated from 1,200 to more than 2,000 feet above tide, and which would be sealed up with frost three or four months in the year, with only a limited and precarious supply of water in summer, must be wholly inadequate to the demands of the immense trade, it was destined to accommodate.

Abandoning, therefore, all reliance upon such an insufficient means of communication, a number of the citizens of Baltimore held a meeting on the 12th day of February, 1827, for the purpose of devising the most effectual means of improving the intercourse between that city and the western states, on which occasion various documents and statements were submitted, illustrating the efficiency of rail roads for the conveyance of articles of heavy carriage at a small expense, which being examined, and the superior advantages of this mode of transportation over turnpike roads and canals being satisfactorily shown, the documents were referred to a committee, who subsequently reported a mass of facts, derived principally from English authorities, of a highly interesting character, observing in conclusion, "that the stock of information now in possession of this committee is admitted not to be very extensive, but they have gleaned from several communications and reports which they have examined upon this interesting subject, enough to leave no doubt upon their minds that these roads are far better adapted to our situation and circumstances than a canal across the mountains; they therefore recommend that measures be taken to construct a double rail road between the city of Baltimore and some suitable point on the Ohio river, by the most eligible and direct route, and that a charter to incorporate a company to execute this work be obtained as early as possible."

The facts developed on this occasion were deemed so weighty and conclusive, that it was unanimously resolved to apply to the legislatures of the several states through which the contemplated rail road might pass for acts of incorporation, authorizing the company to construct such a road. The legislatures of Maryland and Virginia, then in session, with a promptness which entitles them to the public gratitude, concurred in an act, incorporating a company as desired, and investing it with ample powers. This act was subsequently needed to by the legislature of Pennsylvania in the same liberal spirit.

The state of Maryland having provided, as a condition of its subscription to the stock of the company, that the road should be so located "that it shall go to, or strike the Potomac river at some point between the mouth of the Monocacy river and the town of Cumberland, in Allegany county, and that it shall go into Frederick, Washington, and Alleghany counties." The road was located accordingly, subsequent examinations having demonstrated, that the Potomac presented the only feasible route along which it could be carried in this direction, consistently with correct scientific principles.

The commissioners appointed, having opened subscriptions for the stock, the amount required by the charter was immediately filled; whereupon, a board of directors was elected, and the company being duly organized, proceeded without delay to cause the necessary examinations and surveys to be made for the location of the road.

On the 4th of July, 1828, the ceremony of laying the first stone was performed; but it was not until the au-

turn of that year that active operations towards the construction of the work were commenced, since that period its prosecution has been pursued with energy and zeal.

Owing to the peculiarly unfavorable topography of the country, on the first division of the road, the difficulties there have been very great, and have necessarily involved a considerable delay and expense. Taking into view, however, the extent of the excavations, embankments, viaducts, bridges, and culverts, all of which have been accomplished in a manner, not surpassed in this or any other country; it is confidently believed that no similar undertaking has been advanced with greater despatch, either here or abroad.

Now that the company have accomplished the more difficult part of their undertaking, and acquired, by experience, much valuable information and many facilities, which, from the novelty of the subject could only be gained from a course of practical experiments, all doubts have been removed, and they are encouraged, by the most cheering confidence, in the entire success of their enterprise: at the same time, judging from the results ascertained since the valley of the Patuxent has been gained, they entertain no doubt but that the graduation, masonry and construction with a double set of tracks may be accomplished between the present termination of the road and the Ohio river, at or nearly within the original estimated cost of \$20,000 per mile, and that in the event of the requisite funds being placed at the disposal of this company, the whole work might be completed and put in operation in five years.

From the extremely unfavorable surface over which the road was necessarily to pass for the first eight miles in order to reach the valley of the Patuxent, it was early perceived that the expenses across that district would be very heavy, but it had been ascertained that in adopting this route, a line of road would be secured, which, by some extensive embankments and deep cuttings near to the city of Baltimore, could be located with but a single summit for a distance of 180 miles, and with only two summits requiring stationary power along the entire line to the Ohio river, a result which, it is believed, has not been attained on any line of rail road projected for the same extent, in any other country. The approach to the first of these summits is by an acclivity so gradual as not to exceed an average of about 18 feet to the mile, and as the amount of tonnage passing westward will not be as great as that passing eastward, this line will consequently be more advantageous than if it were a perfect level.

The inclined planes over the first summit, at Parr Spring ridge, will be passed by an additional local power, and from the western side of that ridge to the coal mines near Cumberland, the route is so favorable as to be adapted along the whole distance to locomotive steam engines; taking therefore, the entire line together, it will be decidedly superior to a level road, since like that on the eastern side of the Parr ridge, the acclivity for a very great portion of the distance is, in the direction of the lesser tonnage which will pass upon the road.

From the eastern base of the Alleghany mountain a series of inclined planes will be required to overcome a summit of about 1,200 feet, from thence it has been ascertained that the road may be conducted to the Ohio river upon a line so nearly level as to be traversed without difficulty by locomotive steam power.

Although at the time of the commencement of this great national work, the individuals who embarked in the undertaking had arrived at the conclusion that the system was capable of affording greater facilities for the transportation of both merchandise and passengers than could be attained, either by the best constructed turnpike roads or canals, yet the anticipations then formed of its capabilities have been vastly more than realized. The many important improvements introduced within the last few years, both in the construction of rail roads and in the application of machinery upon them, having perhaps doubled their effective power. It is honorable to our country that the system is indebted for several of these improvements to the genius and science of American citizens.

The ordinary speed now attained upon the Liverpool and Manchester rail road, which work has not been so

well executed as that part of our road laid on stone rails, is from 15 to 30 miles an hour, according to the horizontal position and structure of the road; and it is even asserted, that the whole distance of 33 miles, between these places, has been run in 33 minutes, or at the rate of 59 miles per hour.

From the experiments made upon the Baltimore and Ohio rail road, there is no reason to doubt but that the travelling on it may at least be safely carried at the rate of from 12 to 15 miles an hour by the aid of steam power, and that passengers may be conveyed from Baltimore to the Ohio river within from 24 to 30 hours, at all seasons of the year.

The successful accomplishment of this work, so far as it has been extended and within so short a time, under the numerous and complicated difficulties which opposed its progress, cannot but yield a high gratification to the people of Maryland, and affords a satisfactory guarantee that the resources of the state, aided to the aid which may be relied on from other quarters are fully adequate to the early and triumphant completion of the magnificent undertaking in which we have embarked.

Maryland has the honor of being the first state in the union to incorporate a company for the construction of a rail road. She was the first state to embark the public resources in support of this system, and she may now boast of having within her limits the longest continuous railway in the world. It is only necessary that she should continue her patronage to this great enterprise and she will certainly secure to herself the full development of all the advantages which her geographical position gives her in relation to the vast and rapidly increasing commerce of the west—She is happily so situated as to afford the shortest and by far the most convenient route of communication between the navigable waters of the west and of the ocean, and indeed between the Atlantic and those great inland seas which border upon our northern frontier, and which, at no distant day, are destined to become the theatre of an immense commerce; and although limited in her territory to a much smaller extent than some of her sister states, by securing to herself the channel through which the interchange of commodities between the eastern and western states will mainly pass, and which her position gives her an opportunity of effecting, she will soon find herself in point of commercial activity and capital, second to no state in the union.

It is certain, that whatever advantages may be anticipated from the rail road system in Europe they will be of minor importance when compared with the benefits we are destined to derive from the introduction of this system into our country. By the ease, convenient, and rapid intercourse which these rails afford, they are capable of placing, almost in juxtaposition the most remote sections of our widely extended republic, and will thus do more to perpetuate our institutions and preserve our union than any political compacts or physical force could ever effect. The system, if advantageously applied and sufficiently extended, will give to the people of the United States an identity of feeling, a harmony of interests, and a facility of social intercourse, which must long bind them together as one great family; and secure to our country all the advantages resulting from the productiveness of a mighty continent, with the conveniences of communication incident to a small island.

For a full and more detailed explanation of the operations of this company, within the past year, we ask leave respectfully to refer the executive, to the fifth annual report of the board of directors, a copy of which is herewith transmitted. On behalf of the board, I am very respectfully, &c.

P. E. THOMAS, president
B. & O. rail road co.

NULLIFICATION.

From the *New York Commercial Advertiser*.

This nonsensical term, nonsensical whether applied to matter, which man cannot destroy, or the constitution, which can only be abrogated by revolution, has puzzled the people of England a little, as appears by the following article from the *London Morning Herald*.

We understand that many of our readers are greatly puzzled at certain words recently brought into use in the United States in the discussion of the tariff question. We allude to the terms *nullification* and *nullify*. The literal meaning of these words is it is

very easy to comprehend—the one signifying to the act of making null or none; and the other a none or null-maker. It is, however, we presume, the application of the term by the Americans to the question alluded to which puzzles the English reader. For his information, then, we have to state, that the opponents of high import duties in America are variously called anti-tariff men—free traders and nullifiers. They are called anti-tariff men as the phrase imports, because they are against the tariff—free traders, because they are opposed to the American system of import duties, and nullifiers, because they hold the doctrine that every state of the union has the right of rendering null and void, so far as such state is concerned, an act of the congress of the United States, providing—we believe, but we are not certain—such act be unconstitutional; that is, provided it oversteps the bounds prescribed to the congress, or the three estates, by the written constitution.

The foregoing is, we believe, as good a definition of the unintelligible and undesirable phrase, as the South Carolina people themselves can give. We have seen to happen comment on the strange doctrine set up by the southern people, than that contained in the reply of the Catholic bishop of the diocese to which Charleston belongs, to an invitation to the dinner recently given to Judge Smith and General Blair. It is as follows:

"I have been told that after eleven years close study and observation of constitutions, to support which, I have four times pledged my solemn oath, that because I happened to be born under a different form of government, it is extremely difficult, if not impossible, for me to comprehend the manner in which 'our wheel within a wheel ought to work.' This may probably account for the inability which I could never surmount, of understanding the powerful and effectual remedy of providing for the indefinite number of states, of which our federation might consist, an effectual negative upon the acts of a congress, in which each of them had its equal representation in the senate, and its popular representation in the other house—and yet that mention should be made of this negative, nor any allusion thereto, in the constitution itself. Neither could I see when a specific mode of procuring a convention of the states, was regulated in a federative instrument, how it could be constitutional, to say that any one state could have the power of forcing this result, without the aid of the concerted number of her sisters. Still less could I understand, that it was constitutional for her to place herself in a state of opposition to the general act: until her special will should become paramount to the reluctance of her associates. I am, however, free to confess, as that it is possible the general government, sustained by a majority of states, might violate the constitution, or that under its forms they might ruinously oppress the minority. In such a case, if remonstrance shall fail, nature, the laws of society, and even the regulations of heaven, would proclaim the proper and effectual alternative. I trust that neither you nor your children's children, will ever have to resort thereto."

LEGISLATURE OF PENNSYLVANIA.

Extract from the message of gov. Wolf.

"The policy of a protecting tariff and the encouragement given to works of internal improvement, of a national character, by the general government, are favorite measures with the people of Pennsylvania, and the former is esteemed by them as being identified with their best interests. The constitutionality of these measures is not questioned here, nor is there any doubt entertained of their entire expediency; and much as we may regret that the constitution of the federal government does not give more aid and bearing of one of these measures, should obtain elsewhere; yet from the universal prosperity that is admitted to abound in every part of our happy country, there is reason to doubt whether the prevailing discontents are well founded; and we are admonished to restrain our sympathies in behalf of our complaining brethren, lest, in lending ourselves to aid in relieving them from an imaginary oppression, we put ourselves in a condition to be seriously oppressed. Upon these all engrossing questions of national policy, the voice of Pennsylvania has been repeatedly expressed through her state legislature, as well as by her representatives in congress, and so long as she shall continue to place a proper estimate upon her own prosperity and the success of her infant manufacturing establishments, she will not cease to cherish the same sentiments in favor of measures indispensable to the successful fostering and encouragement of her domestic industry and enterprise."

LEGISLATURE OF MARYLAND.

Extracts from the governor's message—Dec. 29, 1831.

Since your last annual session, a melancholy and unexpected event has devolved upon me the discharge of the duties of chief magistrate of our state. His excellency, the late governor Martin, at a period of life, when he might reasonably have anticipated a long career of usefulness, was, in the wisdom of Providence suddenly withdrawn from the distinguished station which he filled with great honor to himself and advantage to the public. No citizen deplored his loss more than myself. The virtuous and manly cast of his character, was necessarily felt by all who approached him, and especially appreciated by those, who, as his counsellors, saw his true spirit in friendly and confidential intercourse. This bereavement imposed upon me public duties, from the due execution of which I did not feel myself at liberty to retire; and I am sure that the indulgence and kindness of my countrymen, will extend to me every allowance which so unexpected an occurrence demands.

A communication was made from this department to the last general assembly, enclosing copies of a letter from the president of the United States, and of a report to him by the then secretary of war, in answer to an application which had been made for the appointment of one or more of the United States engineers,

to make a survey of the coast between Cape Charles and Lewis Town creek, on the bay of Delaware. These documents were regarded as such an explicit refusal, on the part of the president, to comply with the request of the general assembly, and the refusal was placed upon such grounds, as to destroy all rational hope of obtaining any aid from the national government, for the time being, in promoting the object of the general assembly. But notwithstanding the refusal was made upon the constitutional ground that the improvements suggested, could not be regarded as of a character to demand the attention of the national government," yet, in a few weeks afterwards the secretary of war, by instruction from the president, said, that after the service of the year provided for by congress, shall be arranged and agreed on an engineer will, if practicable, be detailed to report to the executive of the state of Maryland, to make the survey in question. A communication from general Smith, one of our senators in congress, enclosing the letter from the secretary of war, from which the above extract is made, also a subsequent communication from the secretary of war, to the late governor of this state, with a copy of the reply thereto, is herewith submitted for your consideration. They will apprise you of the manner and of the agency by which the abandonment of the ground assumed in the first instance, by the president was effected, as well as of the tender of a compliance with the request which was afterwards made, and a condition which, not having been anticipated and provided for, could not be accepted; and, that consequently, no benefit was derived from the seemingly favorable change in the president's views of the subject.

I herewith transmit a communication of the president and directors of the Baltimore and Ohio railroad company, together with their life insurance policy, and the progress of that work. It is with much satisfaction that I am enabled to facilitate you upon the rapid advancement of this magnificent enterprise, which is so eminently calculated to develop the resources of our state, and by its continued extension attract to our commercial metropolis the vast and rapidly increasing commerce of the western country. Its value to our citizens, both present and prospective, has been so abundantly and thoroughly demonstrated, that it would now be difficult to add any thing to the force of the arguments before the public; but having seen the operations upon it, to its entire, present extent, I may add that the aspirations of its most sanguine friends, may be considered as fully gratified. At no distant day Maryland will be highly distinguished for advancement in internal improvement.

Nothing will be wanted to secure the almost triumphant success in her stupendous undertaking, but the requisite funds; and in a country where public and private treasures are, at all times, abundantly, devoted to enterprises of real utility, we have no occasion for fear on that head.

The Susquehanna railroad is progressing and promises great benefit; but its ulterior success cannot be estimated, until a charter is granted by the state of Pennsylvania to that company, or in furtherance of its objects.

These are the only parts of the message, that are not of a business character, and entirely local.

LEGISLATURE OF VIRGINIA.

Extracts from the annual message of Gov. Hilditch—Dec 6.

Whilst we were enjoying the business of last season, representing in the peace and quietude of domestic industry and safety, we were suddenly aroused from that security by receiving information, that a portion of our fellow-citizens had fallen victims to the relentless fury of assassins and murderers, even whilst wrapped in profound sleep, and that those bloody deeds had been perpetrated in a spirit of wantonness and cruelty, unknown to savage warfare, even in their most revolting form.

In August last, a banditti of slaves, consisting of but few at first, rose upon some of the unsuspecting and defenceless inhabitants of Southampton, and under circumstances of the most shocking and horrid barbarity, put to death sixty-one persons, of whom the greater number were women and helpless children.—Much of this bloody war was done on Monday morning, and on the day following, about ten o'clock, the last murder was committed.—The citizens of that and the adjacent counties promptly assembled, and all real danger was speedily terminated.

The conspiracy was at first believed to be general: wherefore I was induced to call into service, a force sufficient to crush, at a single blow, all opposing power, whatever might be its strength. To this end, detachments of light infantry from the seventh and fifty-third regiments, and from the fourth regiment of cavalry, and fourth light artillery, under the command of Harts and Richeson, were ordered to report to the scene of action with all possible speed, and report to brigadier general Eppes, who had been desired to assume the command, and call out his brigade. Arms and ammunition were amply furnished and thrown into all the counties which were suspected of disaffection.—Two regiments in Brunswick and Greenville, were called into service by their commanding officers, and the law visiting them was put in force, for such purposes. These troops being within the brigade commanded by brigadier general William H. Brodax, that officer assumed the command, and remained in the field until all danger had passed.

It gives me great pleasure to communicate to the general assembly, the high satisfaction I feel in bearing testimony to the zeal, promptitude and despatch with which every officer discharged his duty, and the cheerful alacrity with which every citizen obeyed the call of the law.

Though the call upon the light troops was so promptly obeyed, yet before their arrival, the revolt was subdued, and many of these deluded fanatics were either captured or were placed beyond the

possibility of escape; some had already been immolated by an excited people.

I feel the highest gratification in adding, that the readiest aid was afforded by commander Elliot of the United States navy, and a detachment of sailors from the ship *Natchez* under his command, who, notwithstanding they had just returned from a long and distant cruise, repaired to the scene of action with a highly creditable alacrity. Much is also due to col. House, the commanding officer at fortress Monroe, for the promptitude with which he detached a part of his force to our aid, under the command of lieutenant colonel Worth, to whom similar praise is due; as likewise to the officers and soldiers under his command, for the promptitude with which they also repaired to our assistance as soon as it came to their knowledge: all necessity for their co-operation had ceased before they reached their point of destination; but they are not the less entitled to commendation on that account.

All of those who participated in the bloody tragedy have expiated their crimes, by undergoing public execution, whilst some who had been condemned, have been reprieved for reasons which were deemed satisfactory.—There is much reason to believe that the spirit of insurrection was not confined to Southampton; many convicts have taken place elsewhere, and some few in distant counties. From the documents which I herewith lay before you, there is too much reason to believe these plans of treason, insurrection and murder, have been designed, planned and matured; by untrained fanatics in some of the neighboring states, who find facilities in distributing their views and plans amongst our population, either through the post office, or by agents sent for that purpose throughout our territory.

Upon inspecting these documents, and contemplating that state of things which they are intended to produce, I felt it my duty to open a correspondence with the governors of some of the neighboring powers of this confederacy, to preserve, as far as possible, the good understanding which exists, and which ought to be established between the different members of this confederacy. The result of this correspondence will be made known to you, as soon as it is ascertained.

The most active among ourselves, in stirring up the spirit of revolt, have been the negro preachers. They had acquired great ascendancy over the minds of their fellows, and infused all their opinions, which had prepared them for the development of the final design.—There is also some reason to believe, those preachers have a perfect and restraining relation to these plans, throughout the eastern counties—and have been the channels through which the inflammatory papers and pamphlets, brought here by the agents and emissaries from other states, have been circulated amongst our slaves. The facilities thus afforded for plotting treason and conspiracy, to rebel and make insurrection, have been great, through the indulgence of the magistracy and the laws, large collections of slaves have been permitted to take place, at any time through the week, for the ostensible purpose of indulging in religious worship; but in many instances the real purpose with the preacher, was of a different character. The sentiments, and sometimes the words of these inflammatory pamphlets, which the meek and charitable of other states have seen cause to distribute as fire-brands in the bosom of our society, have been real. What shall be thought of those fanatics, who, having no just rest in our community, nevertheless seek to excite a servile war?—a war, which exhausts itself in the massacre of unoffending women and children on the one side, and on the other, in the sacrifice of all who have borne part in the savage undertaking. Not only should the severest punishment be inflicted upon those found guilty of this crime, when they or their emissaries are found within our reach, but the civil authorities should be urged to make all their measures alacritous. The public good requires the negro preachers to be silenced, who, full of ignorance, are incapable of inciting any thing but notions of the wildest superstition: thus preparing fit instruments in the hands of the servile agitators to destroy the public tranquility.

As means of guarding against the possible repetition of these sanguinary scenes, I cannot fail to recommend to your early attention, the revision of all the laws, intended to preserve in due subordination the slave population of our state.—In urging these considerations upon you, let me not be understood as expressing the slightest doubt or apprehension of general results—all communications are first to suffer from the dagger of the murderer and midnight assassin, and it behooves them to guard against them.—With us, the first returning light dispels the danger, and soon withers the number in chains.

Though means have been taken by those of other states to agitate our community, and discontent our slaves, and incite them to attempt an insupportable object, some proof is also furnished that for the most part, the people of color, they have opened more enlarged views, and urged the achievement of a higher destiny by means for the present less violent, but not differing in the end from those presented to the slaves. That class of the community, our laws have heretofore treated with indignant kindness, and many instances of solicitude for their welfare have marked the progress of legislation.—If the slave is confined by law to the estate of domestic servitude, as it is advisable he should be, the free people of color, more robust and energetic, are incited by pamphlets and papers with which we are sought to be inundated. This class, too, has been the first to place itself in hostile array against every measure designed to remove them from amongst us.—Though it will be indispensably necessary for them to withdraw from this community, yet, in the spirit of kindness which has ever characterized the legislature of Virginia, it is submitted, whether as the last best fit which we can confer upon them, it may not be wise in appropriate annually, a sum of money to aid in their removal from this commonwealth.

Whilst recent events had created apprehensions in the minds of a few, some agitation was also more extensively felt, wherefore it

was deemed prudent to arm the militia in a manner calculated to quiet all apprehensions, and arms were accordingly furnished to nearly all the regiments on the eastern frontier. The want of them, upon this sudden emergency, was so acutely felt by those in the vicinity of Norfolk, as to induce commodore Warrington, in command of the navy yard in Gosport, to distribute a portion of the public arms under his care. That gallant and patriotic officer did not hesitate to assume the responsibility of this step, and it is gratifying to perceive, that his conduct has met the approbation of the public functionaries. The policy of disarming the militia, it is believed, was pursued as a measure of economy, as the men and officers were being culpably negligent in their attention to their preparation, so that many were later by neglect became unfit for service. Now, however, the necessity for preserving them is distinctly felt, and a doubt cannot be entertained, that more care will be taken of them in future. I could not weigh the expense incurred by this measure, against the possible sacrifice of life, much less the possible reputation of the scene of Southampton.

[Next follows a great deal of matter about canals or roads contemplated to be made, and of the advantages that will be derivable from them when made—as it has been the custom to speak in Virginia for somewhere about fifty years past!]

It will be necessary to call your attention to the present condition of our militia, and to recommend a thorough revision of the law on that subject.—Much of the strength and efficiency of that kind of force depends upon the promptness with which they can be ready for action, and some knowledge of the first duties of a soldier.

Our light troops might be increased in every battalion and regiment with great advantage to the service, and might be encouraged by privileges and exemptions, as they were always the first called into service, and unlike the infantry of the line, they will be called out by whole companies instead of being detailed for duty, as is now the case, with the body of the militia. From the dexterity and skill of our citizens in the use of the rifle, and a fondness for that kind of arms, as well as the great care and time it requires to drill a regiment in the right manner, the propriety of organizing them into regiments is suggested.

From the position in which this state is placed and the attitude occupied by her, it becomes a matter of very serious reflection, whether a force more available than the militia may not be advisable and attainable at a small expense. By a well-organized, intermediate force, even a foreign war might be sustained without disturbing the quiet operations of the government or of the farmers. We have at this time an hundred and thirty new regiments full and strong.—Were one company to be authorized by law to be raised by voluntary enlistment from each regiment, or such number of regiments as would give the number of men required, and put upon the footing of the public guard, you would have a cheap and efficient army ready to perform any and every duty. These soldiers might be permitted to live at home and work their crops as heretofore, but at all times subject to the call of their officers. Some allowances should be made them, and the equipments of a soldier furnished, as an inducement to enlist, to be drilled once a month for as many days as the general assembly should think proper, and whilst on drill, to receive ample pay for his time; but neither pay whilst on drill, unless enabled for service—when his pay and allowances should be the same as that received by the public guard now in service.

[Next we have several paragraphs on local subjects. The university is mentioned with much approbation, and its prosperity promised.]

Our treasury will be found in a highly prosperous condition; and affords proof of the energies of the state, as it maintains its position under so much misrule in the government which acts upon our exports. The unexpended balance in the treasury, at the end of the fiscal year 1850, was \$8,941 dollars and 86 cents; that which remained in the treasury at the end of the fiscal year, 1851, was 106,395 dollars and 71 cents. The actual amount in the treasury on the first day of the present month, was \$24,069 dollars and 57 cents.

The constitution of our state has made it the duty of the governor "to communicate to the legislature, at every session, the condition of the commonwealth." To discharge this duty, it will be necessary for me to call your attention to our federal relations. The deep interest felt by all the states, in the measure in which that part of their concerns has been managed by the federal government, to which they have delegated extended and limited powers, would make me highly culpable if I failed to notice them, or omitted to speak of them to you as they deserve. The general assembly have never failed to keep a watchful eye over those rights which were reserved to the state, and to be applied by the compact or constitution—where the several states, for their own benefit and convenience, created the federal government. That government, merely the agent of the states, and only allowed to exercise those powers which were intended to operate externally, and upon nations foreign to those composing the confederacy, has too often transgressed the limits prescribed to it, and evinces an increasing regard to the rights of the states, by the passage of unconstitutional acts, and by expenditures for other acts, if it be possible, of a still more unconstitutional character. The complaints, memorials, and protests of some of the sovereign states of this confederacy have been unnoticed or disregarded, and the constitution seems about to be merged in the will of an unrestrained majority. No one can deny the tendency of that government, or the numerous evils which must ensue, unless speedily arrested in its downward career. If the will of that ma-

jority is unrestrained, and that government is suffered to search through their own records, for precedents upon which to found their claim to power, and thus melt away the solder of the federal chain, by making that constitutional now, because heretofore the same acts have been done by themselves, it is equivalent to the actual destruction of that instrument, and the substitution of a government unrestrained in its powers, and unlimited in its sway. It is even now strongly intimated that the states cannot interpose to arrest an unconstitutional measure; if so, there is already no limit to federal power, and our short experience has shown us the utter insufficiency of all restraints upon parchment.

Virginia resisted the usurpations of England, and encountered the hazard of war for political existence, and sought to guard against oppression, that her citizens might enjoy the liberty which belonged to them, and appropriate to their own use that which their labor had earned. The tariff law, of which all the southern states so justly complain, is calculated to take from our citizens the profits they have earned by their industry, and is also a violation of the constitution. Not only has this been done, but laws have been passed appropriating the public money for purposes foreign to, and unwarranted by, the constitution. Agents have been appointed to negotiate treaties without consulting the senate—and propositions have been made to seize upon the surplus revenue in the treasury of the United States, to be divided among the states according to representation, though some of them are doing nothing, and consequently contributing nothing to the fund—which is in reality reducing the states to the condition of vassals and pensioners, paid by funds illegally exacted from them.

If these laws, these acts, and this claim to power, be constitutional, the constitution of the United States has been misunderstood, and is insufficient to accomplish the objects for which it was designed—that preserving our liberties and our rights—if they are unconstitutional, the federal government has usurped the rights of the states, and by constituting itself the sole judge of its powers, has created a new political system, subversive of that to which all-generous is due.

If the legislative expediency is to triumph over constitutional rights, and the obligation of oaths be disregarded, then all human rights are at the mercy of a majority of the people, and freedom is gone forever.

We may as these laws continued by states, combining to advance their own local interests, and using their power to oppress the minority, which would then be without redress. These considerations ought not to be disregarded, at least by the southern states, who are the minority, but the producers and exporters of the products which bring into the treasury the wealth, to obtain which all the safeguards of liberty are about to be crumbled to pieces. No state has made so many sacrifices for this union as Virginia, to which she has been so much devoted. She has calmly awaited the period when a returning sense of justice would lead to an alleviation of her burthens, and an abandonment of those unconstitutional measures. Galling as the oppression has been, under which we have labored, we have been content to make our situation known through our members in congress, and by legislative resolves. Hereafter the public debt has been the pretext for this oppression. Now, however, it is upon the eve of extinction, when, for the sake of union, if not justice, we hope a change in these fatal measures.—But, I fear, doomed to disappointment, we must now prepare to combat a scheme which has been suggested, and has enlisted or is likely to enlist, strong interest in its support. I refer to the scheme of distributing the surplus revenue among the states. The legislatures of two of the large states have already expressed for it their approval; and the legislature of the United States has recommended it to congress in his two last annual messages. No scheme could be devised more ruinous to us and the other southern states, than this. Should it be adopted, all hope of relief from this oppressive system of measures will have vanished, as each year will show results which will prevent the strongest alliments to their increase; while those who pay most, will be tempted to urge forward the most oppressive expedients to increase their portion of the spoils—while those who pay least, at best receive back but a small portion of what they have contributed—thus producing the combination of large states, to tax the smaller for local purposes, and to draw money from the pockets of one portion of this confederacy to enrich another. All other questions which have already agitated congress and the people, will be lost in this most terrible evil, and calculated to appeal to the passions, and the jealous rivalry of the states, in a system which will lead to the greatest exactions upon the south; and must, if persevered in, lead to the utter subversion of this entire frame of government. If the lingering hope which is still entertained should again be disappointed, it will rest with the people, and with their representatives, to adopt such measures as may be deemed necessary to guard their rights against the evils of a system not of unconstitutional but of just, oppressive and ruinous—now will you be deceived by threats from any quarter from pursuing the course which duty requires. The strong arm of power will never be able to crush the spirit of freedom, or deter them from asserting their rights, and intercepting barriers to the growth of despotism.

With your obedient service and happy issue to all your duties, I am, gentlemen, your fellow citizen.

JOHN FLOYD.

SOUTH CAROLINA.

In the last Register, page 334 we gave a copy of the report of a committee of the senate of this state on federal relations, and now present the following statement, taken from a number of copies of the house of representatives. The letter of President Jackson to certain citizens of Charleston of 14th June, 1821—(see vol. 40,

page 351) seems irreconcilable to have excited the opposition of the "nullifiers."

"No written form of government can be devised which may not be liable to various constructions—no free government can exist without party differences. Hitherto the wise and patriotic men who have administered the general government have been careful—as well from a sense of official dignity, as from the more important consideration of the dangerous weight of official authority, not to mingle in the party contests of the citizens. It is not only calculated to excite regret, but other feelings, which the committee will not trust itself to express, that the state of South Carolina has been selected for the first instance of this unauthorized intrusion—as the first example of an attempt to close political discussion, by the terror of executive power, or to throw into the scale of party the weight of the executive sword. While, as a member of this confederacy, and in the view of the dignity of its chief executive, the state of South Carolina cannot, but regret every occurrence which may degrade that dignity—yet her feelings are of a sterner and deeper character—when her citizens within her own jurisdiction, in the exercise of unquestionable constitutional right, are denounced as disorganizers and threatened with military interference. Whatever emotions, however, there may be, they are not those of terror. Ours is a government of law, and not of force. In the exercise of what is the prerogative of the law, we know that a president or a private citizen is equally amenable to its tribunal, and that a threat from either against the other is of equal validity.

If, however, the allusion of the president be not to the public discussion of opinions differing from his own, then it must be a proposed course of legislative action which he denounced as a plan of disorganization. In this view of the dignity of the legislature has to consider not an invasion of the rights of the citizen merely, but an attempt to fetter its own freedom of action.

The committee finds it difficult to find language at once suitable to the occasion and the dignity of this house.

Is the legislature to be rebuked and rated by the president of the United States?

Is it to regulate under the suspended sword of the commander in chief?

Is the will of one man to be substituted for deliberation—and the enactments of this body to be fashioned by an edict from a president not only avowing a right to annul a law when passed, but practically assuming a right to interpose while it is yet under discussion? The executive of a most limited government; the agent of an agency? but a part of a creature of the state, undertaken to prescribe a line of conduct to a free and sovereign state, under a denunciation of pains and penalties. It cannot but be esteemed a signal instance of forbearance, calmly to inquire into this assumed power of the president over the state. Under no part of the constitution or penal law of congress, known to the committee, is the crime of disorganization recognised or made punishable. It is to be lamented that in the exercise of crime and threatening punishment, the president had not used terms of more definite import.

If, by the vague generality of the word disorganization, be intended as the context may perhaps indicate, that a plan of disunion existed in this state, it will be equally difficult to fix upon any constitutional or legal authority, or any thing in the nature of our institutions, which imposes any duty or grants any power to the president to prevent it. This is a confederacy of sovereign states, and each may withdraw from the confederacy whenever it chooses—such proceedings would neither be treason or insurrection, nor a violation of any portion of the constitution. It is a right which is inherent in a sovereign state, and has not been delegated by the states to the union. Whether assuming such an attitude might be the cause of war on the part of the general government, may be questioned, but there can be no question that the president could not declare war. But the committee deem it unnecessary to discuss a mere hypothetical question, the possible occurrence of which, if the president has contemplated it, is the result of his entire ignorance of the feelings and purposes of this state.

No one denies that it is his right and duty to see that the laws of the United States be faithfully executed, and no portion of the union will be more prompt to recognise the right or to sustain and assist him in the duty, than the state of South Carolina—but at the same time, if in the deliberate judgment of this state, acting in her sovereign capacity, any enactment of congress is decided to be in violation of the constitution, and therefore not law, that judgment is paramount, and if the executive or all the combined departments of the general government, endeavor to enforce such enactments, it is by the law of tyrants, the exertion of brute force. If such a case should occur, which we pray a wise Providence to avert, the state will throw herself on the protection of that Providence, and if her destiny be slavery, she will not be mocked by the forms of a free government.

Resolved, That the letter of the president of the United States, to sundry citizens of this state, is an unauthorized interference in the affairs of this state, that the principles advanced in it are incompatible with the constitution, and subversive of the rights of the states; that the threatened course of executive conduct would, if acted upon, destroy the liberties of this country, and, as a threat, is of dangerous precedent, and highly repulsive to the feelings of a free people."

LEGISLATURE OF ALABAMA.

Extract from the inaugural address of Gov. Gayle, of Alabama.

"The power claimed for a state to interpose its authority to prevent the execution of an act of congress within its limits, has given rise to much intemperate discussion, and produced an excitement which threatens the harmony, if not the existence of the

union. However desirable it may be to awaken the general government to a sense of the injuries which the restrictive and prohibitory system is inflicting upon the southern states, it is infinitely more important that this alarming controversy should be speedily and amicably adjusted. I say alarming, because in the opinion of many of the great and good men of our country, it will lead to the catastrophe of the republic.

On an occasion like the present, a brief outline of my opinion is all that can be expected, or could be expected.

The constitution of the United States was established, it is true, by the people of the several states as separate and independent communities; but it cannot be denied that the very act of its adoption, for all the purposes for which it was designed, converted them into one undivided whole. A government was formed for the people, and it acts on them individually as members of the same extensive community. The relation which the people bear to the state and general government is strikingly similar. Both originated from the same source—both operated upon the people in the same manner, and the same obedience is due to both. Each is emphatically the government of the people, and patriotism dictates that their affections should be placed as much on the one as the other. A distinguished patriot of the revolution, Patrick Henry, in speaking on this subject at a public address, once declared that a country is to a state what a state is to the union. The analogy is just in many respects, and particularly as it regards the right of either to set the laws at defiance. The people of a state bring a small minority of the population of all the states, have no greater constitutional right to resist the laws of the union, than the people of a county have to resist the laws of a state. When it becomes necessary to resist the laws of an unjust government, the only principle which precludes the right of any community to protect itself against oppression. If then, one is a government of the people, if the laws are made by the authority of all, and according to the forms of the constitution, it is inconceivable how the right can be set up in a single state to abrogate them.

If it be asked what means of redress are to be resorted to, in a case of usurpation by the general government of power undelimited? I answer to the same that are provided against the encroachment of the state functionaries—to the elective principle, and to the tribunal whose province it is to restrain the legislature within the pale of the constitution. If these fail it is to be ascribed not to any defect in the constitution, but to a want of political honesty—to an absence of virtue and patriotism, without which there is but little preference for one form of government over another.

It was obviously the design of the compact by which the union was established, to submit to the general government the control of our foreign affairs, while our domestic and internal concerns were to be left to the management of the states. When it is remembered that the constitution was constantly and necessarily made to be construed by thirteen states, all independent of each other, and acting without concert, in obtaining its sense and meaning; it cannot be supposed that the convention would overlook the collisions which would unavoidably arise between the federal and state authorities, concerning the boundaries of jurisdiction. It was indispensable to the success of the scheme, that these collisions should be guarded against, and hence the several provisions in the constitution on this subject form a prominent feature in its structure.

"The constitution and laws of the United States and treaties made under their authority, are declared to be the supreme law of the land, and the judges of every state shall be bound thereby." "The judicial power shall extend to all cases in law and equity arising under the constitution and laws of the United States, and treaties made under their authority."

Should these provisions in the national compact be observed with a due regard to the objects which they were designed to attain, and be submitted to in the spirit in which they were adopted, occasions for complaining against the federal or state governments would be a idle dream.

Give to the judiciary the legitimate participation in the operation of the government, and it will be found a wall of defence—sacrosanct to which all may fly with all confidence for protection. It will be alike unmoved by the assaults of ambition and the excitements of prejudice. Unconnected with the strife of contending political parties, and uncommenced by the passions produced by party, it will hold the even tenor of its way; dispensing justice with an impartial hand, and deciding upon our rights in the very spirit of the constitution.

From these and other views of the national compact does not permit me to express, I am thoroughly convinced that the constitution does not authorize the power contended for, and that the exercise of it could have no other effect than to introduce evils greatly more to be deprecated than those of which it is intended to be the remedy. It may possibly serve for a time to mitigate the disease of the body politic, but it would at the same time infuse a poison into the system, that would not fail to bring on premature decay.

Should the president conceive that his duty requires him "to see that the laws be faithfully executed," of which there is but little room to doubt, the war of argument would cease; the strife of blood would commence, and the government would perish amid the perils and horrors of civil discord. But, if these apprehensions be groundless, if the prediction be verified which has been made by the advocates of this doctrine, that the executive would yield the right thus claimed for a state, the result would not be different. If it be allowed to one state to resort to this experiment, the example would soon be imitated by others; acts of nullification will become as frequent as the sessions of congress. In this way the constitution might linger for a few years through a sickly existence; but it would at last be driven to the same final destiny."

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 19.—VOL. V. BALTIMORE, JAN. 14, 1832. [VOL. XLI. WHOLE NO. 1,063

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY J. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

To get in a sketch of some of the leading speeches delivered in the house of representatives, on motions to refer the memorial of the bank of the United States, [without postponing or totally rejecting much other matter actually in type or prepared for this publication], we have issued a heavy and close-printed supplement—and the present number consists of twenty-four pages. If practicable, with due attention to current proceedings and events, we shall publish, next week, sketches of some of the other speeches on the bank subject, which we now simply notice—for it is a question about which the people should be well advised by being placed in possession of the facts.

The late "honorable" Mr. Hili's paper—the "New Hampshire Patriot," says "Hezekiah Niles contends that arduousness of the duty on coffee has raised the price." As the plea of stupidity cannot be offered to excuse the cunning managers of this journal—it remains only to observe that the statement is a wilful untruth. I am, however, so much accustomed to such things in that paper, that the occurrence is hardly worth this notice.

WAGES. It is well known that the price of glass and glass wares has fallen about *one-third* since the passage of the tariff law of 1824—and, that, though some articles are still received from England, they chiefly arrive in British ships and on British account. The general advantages derived from the establishment of this important manufacture, will be shewn in the report of the committee of the New York Convention, to whom the subject was referred; but, in a communication which has passed through my hands for the chairman of that committee, a glass manufacturer says—"I expend for labor 2,500 dollars a month—being double the amount paid in England, and three times the amount in Germany, for making the same quantity." And yet the price of glass has been reduced in the amount of the *protecting* duty imposed! There is something very important in the facts suggested. It is rendered manifest, that foreign manufacturers have speculated largely, and profitably, on our wants; and that the domestic competition may be safely relied on to reduce the cost of commodities to consumers, when duly encouraged to act against foreign supplies. Glass and glass wares imported are subject to a duty of from 2 to 3 cents per lb. and an *ad valorem* duty of 20 to 30 per cent. in addition*—which duty, instead of operating as a "tax," has had the simple effect to furnish us with home-made glass and glass wares at less prices than we paid for them *before* the protecting duties were laid; and to keep within our own country five or six millions of dollars a year, which would have been remitted to pay for the glass at present consumed. These millions are nearly as much a *clear profit* as if so large a sum, in eagles, were dug up ready coined—because of the new demand for labor, the tens of thousands of cords of wood, the thousands of tons of sand, the hundreds of thousands of bushels of coal, and other ponderous articles required—such as would have no market, or, at any rate, a much less valuable one, were it not for the manufactories of glass located in the neighborhood where such articles abound. And it is probably in the greater cheapness of these materials, that, though the cost of labor is much higher in the United States than in England or Germany, the price of glass has been reduced one third. But my present intention

is to speak of the wages paid to the workmen in the glass-houses: perhaps, in part caused by the fact, that there are not yet *native* workmen enough to perform the labor required, and the frequent refusal of foreigners to teach apprentices, from which much injury has resulted—but this difficulty is passing away, and has no effect upon the general remarks that I propose to make on the subject of wages.

As the price or value of labor regulates that of every thing else—even of gold and silver, (being themselves only representatives of labor)—so the amount of wages generally paid must be accepted to shew the general prosperity or general adversity which prevails in a country. I do not know that I have ever seen this broad proposition so freely advanced—but there cannot be any doubt of its *practical* soundness. Recently, when potatoes were only 4 cents per stone of 14lbs. in Ireland, hundreds of thousands of persons were on the borders of starvation, because they could not obtain a sufficiency, even of potatoes, to support life; but at that time the laboring classes of the United States were abundantly fed with *meat and bread*, and the average price of potatoes here was 8 or 10 cents per 14lbs. The latter, however, because of the ability of American working men to obtain plentiful supplies of other food, were rather used as a dish on the table, by way of variety, than as being necessary to subsistence. A thousand cases might be presented of a character similar to that just given—but this one is sufficient.

High wages may be a burthen, under peculiar circumstances, on certain parts of the people, or some portion of a country—but if they are general, they must be generally advantageous, and especially in the United States—for it is their amount that really assesses the value of lands and their products—and, indeed, of every other kind of property, real or personal—even a property in slaves. Tens of thousands of persons in this country, having no other capital than labor, become annually proprietors of lands and houses—*freeholders*; opening the way to new candidates for independence, through industry and economy, in *perpetual and glorious* succession. The factories turn out thousands of these every year; and hence we have a population such as does not exist in any other country; and, I venture to say, such as cannot exist under a low state of wages paid to working men. But separated from these creations of intelligent, prosperous and liberty-defending persons of property, and the example which their success must have upon every class of society—who would exchange the full fed and saucy laboring people of the United States, for the gaunt laborers of India and China—the two millions of squalid paupers of England, the wild and half-starved population of Ireland, and the miserable multitudes that breathe in Spain, Italy, and other countries of Europe and Asia, where wages are low?

What is it that establishes the value of money, seeing that we cannot eat or drink eagles or dollars? Is it not the labor expended in the collection and coinage of gold and silver, that determines the value of these metals? If they were as plenty as iron and lead, they would not be more valuable. High wages depreciate, and low wages advance, the current value of these me-

*Sometimes high wages give evidence of the unthriftiness—perhaps I might better say, *laziness* of a country. Mechanics who obtain only one dollar a day in some parts of the United States, in others receive one dollar and a half or two dollars, for rendering the same services. The main cause of this is—that labor is honored in the first, and dishonored in the second; but yet in the latter, the price of labor, in general, is low, and for the reason that it is degraded. But such exceptions, proceeding from such causes, are indignantly rejected as coming within the range of my remarks.

*These duties are moderate, compared with those imposed on glass imported into England, unless the duty has been recently changed. By *Pope's Customs*, brought down to March 1830, the duty on glass manufactures, generally, was *eighty per cent.* on their value in England.

tals. A dollar is a dollar, and weighs the same in India, England and the United States—but its *operative*, or *current* value, is very different. It will hire a man in India two weeks, in England nearly a week, and in the United States a day. If prosperity, then, were measured by cheap wages, India would be the most prosperous country in the world, and the United States the most miserable. This shows that comparisons of price, between different nations, cannot be otherwise than absurd. Price is altogether *artificial*; or applicable only to things within a particular country. A learned and grave senator of the United States was lately willing "to relieve" our people of taxes—"no people in the world, except the English, were so heavily taxed!" I like this love for the dear people; but would ask, in what country do they live half so well as in our own? Here is a practical question! The *ad captandum* idea of taxation, is *oppression*—and so it is in England, but not in the United States. There is no more an ability to equalize the *sum of oppression* sustained by the amount paid in taxes, in England and the United States, than to assess the value of lands by the quantity of alligators which it contains to fence it! From the pointed reference of this senator to the "*consumption of mush and milk*," it might have been supposed that he was entirely familiar with the fact—that the "*proof of the pudding is in the eating of it*." There is much wisdom in this saying! If its leadings are correctly followed, it will surely appear, that the amount of every burthen is graduated by the capacity to bear it—that value is comparative, and that *means constitute the measure of all things*. A very common laborer in the United States receives 450 cents a week—such a laborer in England obtains considerably less than 200. A tax on the first of one cent per day is only a 75th part of his earnings, but on the second is a 33rd part of his wages—or more than twice as onerous, though of the same nominal amount. We hope that he will have reference to such facts, when he again expresses a willingness to "relieve" the people of the United States of a *burthen* which they have never complained of, being insensible that it exists—except in the speeches and writings of politicians, which they do not always comprehend, and less frequently accept, unless under the influence of a temporary excitement. The people of the United States are *not* the most heavily taxed of any people in the world, except those of England. If otherwise, they are more severely oppressed than those of Ireland—but who ever heard of 150,000 persons in a state of starvation, in one district of the United States? *Will not oppression bear the same fruits every where?* But further—a laboring man in this republic may obtain twenty or more pounds of wholesome meat, or forty or more pounds of good flour or meal, for one day's work—in England he cannot purchase these things at all, unless occasionally, and in small quantities. Such is the difference between high and low wages—or,

in better terms, the cheapness or dearthness of what we call money.

But there is one yet greater and more important consideration belonging to this subject. Our government is one of the people—or as nearly so, perhaps, as it is practically possible that a government should be. The common laborer has the same political rights and power as the wealthiest landholder. How interesting is it, then, that he should be well fed and clothed, and have the means of educating his children, so that they may become good citizens? Without such comforts, the right of suffrage must run into a curse—for that right, unless generally exercised with intelligence, must needs be productive of evil. The wealthy can take care of themselves—but it is the advancement of the laboring poor that I am most anxious about. With low wages, these are little better off than Russian slaves or British paupers—they are fastened to the will of their employers—must take what is offered, or suffer, but when wages are high, labor must needs be in request—and working people become parties to all agreements with persons having money to purchase their services. What are the effects of this? Four-fifths, perhaps, of the wealth of the U. States is in the possession of the productive classes. In England, four-fifths may be in the hands of the non-productive classes. I have more than once stated the fact, derived from a most respectable captain in the navy, that the Constitution had two hundred freeholders in her crew, when she captured the *Cyane* and *Levant*. Are there so many such seamen in the whole British navy? In England, when wages are high, we hear nothing of public distress—when they are low, misery abounds, for the "circulation of values" is diminished, and money becomes distressingly scarce. Say, there are one million of persons in the United States whose labor yields what we shall call one dollar a day—the product is 300 millions of dollars a year: reduce these to 50 cents per day, and the annual circulation of values is *directly* reduced in the vast sum of 150 millions a year. But this is not all. The price of all things must descend with this diminished circulation; and the first loss of 150 millions would certainly be swelled to at least 600 millions, in the lessened values of lands and commodities. Persons cannot buy, if they cannot sell. The poor Irish would not purchase potatoes at one-third of a cent per lb, because they could not dispose of their labor, the only thing which they had to exchange for money, or potatoes. Herein is the principle and operation of protecting laws. If they advance the price of labor, as I am quite willing to admit that they do, they must necessarily benefit every class of society, and especially those who own labor, including possessors of slaves.

These are mere hints of the subject. It is one of vast magnitude, and intense interest. What is the state of the poor females among us, who earn from 12½ to 20 cents per day, whose cause has been so often and so feelingly advocated by my venerable friend in Philadelphia? They are almost as destitute of *hope*, (the grand incentive to honorable action), as the poor women who labor in the fields of the "nullifiers," and they live as badly. If these earned even the small sum of 50 cents daily, what a different aspect would their homes and their children assume! The factories, generally, afford the latter amount to tens of thousands of females, and the view of a manufacturing village is grateful to the heart of every benevolent man—for plenty abounds, and there is yet something to lay up—something to start in the world with. I would that all—those who are, or shall be, mothers of citizens of this republic, shall have "jewels" to shew, in well provided for, and intelligent children. "Princes or perris may perish or may fade"—but a "virtuous populace" is at once the pride and the glory of a free state, as well as the shield of its liberties. Nothing can be esteemed a sacrifice which promotes the happiness of the many. It is the first principle of our institutions; and "*frenzy to the brain thou shalt plot*" to impede its operation.

* Such was the state of things which followed the glorious "financial prosperity" of 1816 and 1817, when the revenue from importations amounted to sixty-three millions of dollars, and destroyed those domestic manufactures and that valuable interior trade which had grown up during the restrictions on commerce and because of the war. This revenue cost the people of the United States ten times as much as the government had expended during the war. It swept the land with the "besom of desolation"—extreme suffering prevailed; the attorneys and sheriffs were "as busy as Old Nick in a gale of wind!" but the action was not fully felt until 1820 and 1821 (in which years the revenue from importations amounted only to 28 millions of dollars, because we were unable to pay for foreign goods) and then thousands of therefore substantial men were reduced to actual poverty, and tens of thousands of respectable persons were willing to earn even 25 cents per day, besides their victuals, on the roads and highways. The amount of the revenue had cursed the land, in prostrating the value of domestic labor. I never look back to that awful period, without renewing my vows to support the "American System," until protection afforded shall produce essential prohibition, as has been the case in respect to American navigation. To which let all the people say AMEN!

"THE MORNING POLICE," as we see the protecting policy called in a southern paper, must be "totally renounced!" It will be—when free white men are content to be racked with black slaves; when the market

bearers of the land shall confess a "divine right" in slave-owners to construe the constitution and prescribe the law, in all things; when "angels" shall descend and take the shapes of hogheads of *Virginia tobacco*, and archangels those of bales of *South Carolina cotton*, as being the only things which partake of their heavenly nature, being chosen products of involuntary labor, extorted by cruelty! then—THEN, will the "robbing policy" be abandoned, and task-masters have the honor of bringing into use a system of measures which shall render all the working-people of the United States as miserable as their own breech-clouted negroes—as wretched as English paupers—stupid as Hessians, and as rude as Russian bores. Might not these enlightened and liberal lords of the south be content with the fact,—that they have about twenty-two members in congress to represent the power and glory of their slaves?—though the horses of Pennsylvania, or the oxen of Connecticut, have no part in making the laws? No—they are not content with this—the yet large majority of power in congress must be yielded to the minority, else their Englishmen will "calculate the value of the union!" Let them "calculate!" Now is as good a time as any to sliew the result. If that contemptible part of the people who hold it right to make such "calculations" are to bring them into practice—the sooner they do it the better. We offer no sacrifices to fear—because of what they may do. We feel able to take care of ourselves—let them look to themselves!

But hard names hurt not. Though all the cotton bagging ever made in Scotland were used to bale-up frothy and furious denunciations, and all these were cast against the *Alleghenias*,—the mountains would not leave their location. It is the privilege of the improvident and the lazy, to grumble and grumble at that prosperity which attends economy and industry—and they may hate, if they please, those enjoyments in others, which they have not the virtue to earn for themselves: But here is the stopping-place. The majority, always respectful, as it should be, of the rights of the minority, will both construe the constitution and enforce the law. If what they believe just and most beneficial to the country may be "nullified," at the will of a few—let us know it immediately for the dominion of Russia is not more severe than would be that of these men: they would graduate all things by the measure of labor contained in the muscles of their own black slaves.

We would yield much to a spirit of conciliation—and respect what we esteem gross errors, if believing them to be honestly entertained; but it is not for the few to dictate conditions to the many.

CONDITION OF THE LABORING POOR IN ENGLAND. Since the publication of the article under this head in the REGISTER of the 31st inst. (and it was prepared about three weeks before), I have seen the following in an English paper. It is interesting—but only goes to strengthen the remarks made on the subject generally.

Since a few days before Christmas, a committee of the house of lords, appointed "to consider of the poor laws," have pursued their inquiries to a considerable extent, having examined about 30 witnesses, consisting of peers, commoners, clergymen, farmers, &c., and sat on 13 different days. After the recess their lordships will resume their labours; but though they have reported no observations on the evidence, because their investigation is not concluded, previously to the present recess, they reported to the house the evidence they had taken. From that evidence the following are extracts. (The Marquis of Salisbury is the chairman):—

The rev. James Beard, a clergyman and magistrate of the county of Bedford, and resident at Carnfield, examined.

The population of that parish is about 1,350, and the number of acres in it about 4,000; about two-thirds arable.

Have you many persons out of employment during the winter?—About one-fourth in the dead time of the winter.

In what manner are the poor employed during the winter time by the parish?—In digging gravel and taking care of the roads.

Can you state what rate of wages they receive when so employed by the parish?—8s. per week, the married men with families; a single man, until this last week, 3s. 6d. and possibly 4s.

What proportion of the able bodied laborers in your own parish were out of employment last year?—I should think from the month of November to the end of January, nearer 30 than 20 out of 100.

Have you adopted any means of providing employment for those laborers? I have endeavored to do it.

State the circumstances under which you have done it. My parish is an open field parish, and we have 70 or 80 acres of grass common land in it. Three years ago I called the parishioners together, being very anxious to put part of this into cultivation, for the benefit of the poor and the relief of the parish. Out of 92 occupiers 21 agreed; but the 22d, having the power of turning his stock in, he declared he would, and of course put a complete stop to any thing of husbandry. However, last week I called the parish together, and there was the same unanimity, and that individual did not disagree. The married laborers have now got a rood of land each allotted to them on Saturday, and the single men half a rood, at the rate of 10s. an acre.

To work for the parish, or to work on their own account? On their own account, under certain rules.

Is it intended to make advances to the laborers to enable them to cultivate this land?—I have done it myself individually, out of my own pocket; that is to say, I have advanced £20 towards fencing of the land, and given every man a new spade.

Can you state any particulars as to the employment of laborers on the roads in the parish of Kempston?—The last year, in the mere gravel digging, that parish expended £750; and I am sure I am not saying too much when I state I could get the same gravel dug for £50.

Can you state what the wages paid to the laborers were in that parish for that work? The married men 8s. per week; making up their families to a specified amount.

If a man gets 1s. 10d. per head per week for his family, is it the practice of the magistrates to order further relief? I have not done so until within the last three weeks.

Are there many laborers and their families who existed previously to the last three weeks on 1s. 10d. per head? Last Wednesday I went, according to the direction of the lord lieutenant, to swear in special constables. I met ten farmers, whom I swore in; they had brought 74 laborers also to be sworn in. Upon the laborers being asked at the door, they would not come in. I went out to them, and asked them the reason; they said they wanted food; upon which I selected four of the most intelligent of the party. I asked them to go into a private room. I inquired the character of the men from the farmers; and they said they were very honest industrious men. They gave me the earnings of themselves, their wives, and their children; they did not quite come to 2s. per head per week of the four families; they were the best and most industrious laborers in the parish. I went in to the farmers, and told them it was morally impossible to expect those laborers to go on at that rate of wages, and I trusted they would not think me unreasonable in begging of them to give them 2s. 6d. a head per week; that is to say, a married laborer to have 9s.; a single man of 20, 6s. per week; a single man of 18, 5s. per week; that if a married laborer has 9s., and has 2 or 3 children, they would make it up 2s. 6d. per head; if there were 6 of them, that would be 15s. per week. The farmers having consented, I went out to the laborers, and spoke to them; and I never saw a body of people so thankful in my life. This is the parish of Lidington.

I have but few additional comments to make. It is true, that the prices stated, or compensation paid, have relation only to agricultural laborers—the manufacturers, in the worst of times, (though perhaps worked harder, or at any rate, a greater number of hours in the day), have been better paid, if able to obtain full employment. But the latter are subject to great privations, in sudden discharges, through the fluctuations of

trade—for as an example before me, one house at Kildermister, manufacturing carpets, lately withdrew 1,200 pounds, say 5,300 dollars, paid in weekly wages, and probably cast 7,000 persons out of their usual means of subsistence, though rated at more than twice the amount allowed to agricultural laborers in the preceding statement. But it is not worth while to extend remarks on this matter. The free white laboring people of the United States will neither agree to be placed in competition with the white slaves, or paupers of England, any more than with the black slaves of America. "This is the long and the short of it."

PAUPERS. Of the 2,256 paupers in the alms house, at Bellevue, New York, on the 51st ult. no less than 1,049 were foreigners.

All our cities are severely taxed to feed and take care of the beings that are cast out of the British poor houses, or sent hither, to starve or subsist, as the case may happen. Some strong regulations on this subject should be adopted. Let those who suck the orange, not throw the peel at us.

MULBERRY SEED AND SILK. A kind friend in Connecticut has sent to me a small parcel of the white mulberry seed, for the use of those who may please to plant them. He thinks this branch of the planting interest will come into common use, and that a few acres of trees will be worth more than a gold mine; and become blessings to the people of the United States, by engaging the slight attention and moderate labor of aged persons and young children, which is now so generally wasted—and rather amuse than oppress them. He has also sent a small parcel of silk, prepared for knitting stockings, which he assures me will prove the most pleasant and the best of any that I ever used—of which I have no manner of doubt, from the character of the material.

TOBACCO.—The actual value of all the tobacco, exclusive of any portion smuggled, annually consumed in the British Kingdoms, does not exceed £350,000, while the revenue derived from foreign tobacco amounts to £2,800,000 a year—eight times the sum.

Yet there are some tobacco planters in Maryland and many in Virginia, who laud England and her "free trade!" How was it that we levied a "tax" of 18 dollars per ton on the entry of French vessels, because France so taxed ours,—and that, though tobacco is thus taxed, and flour virtually excluded from England, except in starving seasons, we submit to John Bull? What have the people north of the Potomac to give the latter, (*that he will condescend to take*) for his bustians and calicoes? He requires that we should travel to and fro, and gather specie for him. Let him gather it for himself—and we for ourselves! If he won't take what we have got to sell, "hase is the slave" that will take what he has got to sell. John would have us to "make bricks without straw." And hence there arose a "Moses" in 1776. His race is not extinct—though the revolution is not yet over.

VERMONT. The official returns of votes in the 4th congressional district, on the eighth trial, leaves little hope of obtaining a representative from that district for the present session of congress.

Bailey,	2,925
Allen,	2,613
Galusha,	842
Seastering,	844

PENNSYLVANIA. The "democrats" of this state—(and there are some eight or ten descriptions of them), are much divided; or appear so, from the noise which the different parties make. The old orthodox Jackson democrats, whose "organ" is the Philadelphia *Sentinel*, support "Jackson and Wolf"—the new orthodox, led on by the "rewarded" Philadelphia *Inquirer*, hurrah for "Jackson and Schulze"—the late governor, now named for a new election in opposition to Wolf. The latter is called, by its enemies, the Van Buren-Jackson democrats. Mr. Schulze, we had thought, was not a very warm-friend of general Jackson, when opposed by Mr.

Adams, for the presidency. And the *Sentinel*, in all appearance, bravely supporting the re-election of president Jackson, has the following paragraph about the bank of the United States!

"The question, both constitutional and expedient, is a question of necessity; and the necessity is overpowering. The United States cannot exist without a bank of the United States. They will not be without one for one year. Should there be a year of such void, it would be twelve months of great suffering and distress. All reflecting people, having no prejudices to gratify, must deprecate such a crisis, and pray that things as they are may be let alone. Modify, if you can for the better, but beware how you destroy."

This, we suppose, according to the new political ethics, is "going the whole" on the ancient democratic maxim,—"measures not men."

MARYLAND. Extract from a letter to the editor of the Baltimore Patriot, dated Annapolis.

By the last annual report of the treasurer of the Western Shore, it appears that the actual income of the state for the year which ended on the 1st inst. was

\$239,895 19

To which being added the balance in the treasury of the Western Shore on the 1st Dec. 1830

54,106 88

The available aggregate amounted to

\$294,002 07

The disbursements for the year which ended on the 1st inst. were

216,824 43

Which, being deducted from the available aggregate, shows an unexpended balance of the entire income of the state for the years then ended of

\$77,177 64

Subject to appropriations to that day then uncalled for

41,810 42

And leaving a clear unappropriated balance in the treasury on the 1st December, 1831, of

\$35,367 22

Which will enable the Committee on ways and means to discharge the entire amount of the public debt, which is payable at the pleasure of the state.

George Howard, esq. late acting governor, has been elected governor of Maryland for the ensuing year. William Potter, of Caroline, T. C. Worthington, of Frederick, Samuel Turner, of Calvert, Robert W. Bowie, of Prince Georges, and George W. Purnell, of Worcester, were elected his council.

BALTIMORE—bills of mortality for 1831. Whole number of interments, 1281 males and 1027 females—2,308; of whom 632 were colored persons—514 free and 118 slaves. Of the deaths 123 were still born, 514 under 1 year; 410 from 1 to 5; 272 from 5 to 21; 473 from 21 to 40; 279 from 40 to 60; 103 from 60 to 70; 64 from 70 to 80; 41 from 80 to 90; 6 from 90 to 100—two 105, one 106, one 112, and one 120.

Diseases—apoplexy 18; casualty 33; child bed 24; cholera infantum 248; consumption 340; convulsions 78; dropsy 30; do. in the head 33; drowned 20; dysentery 24; fevers—catarrhal 24; bilious 117, scarlet 161, typhus 39, intermittent 2; various inflammations 42; influenza 11; intemperance 45; liver complaint 19; marasmus 32; measles 23; old age 104; pleurisy 29; small pox 25; still born 123; sudden 51; teething 18; 417 unknown. All other diseases described were under 18.

The present population of Baltimore is about 32,000—of whom 15,000 are free colored persons and 4,900 slaves.

ARKANSAS. A memorial has passed both houses of the legislature of this territory, praying the removal of gov. Pope, who seems to have made a free use of the veto. It is intimated that the legislature of Michigan may prefer a like request against their governor, for non-residence. There seems to be much feeling in this latter territory, on account of those who have been appointed to "rule over them."

"GUY FAWK'S DAY." The 1st anniversary (Nov. 5) was celebrated in England in a very unusual manner! A strapping fellow, dressed in full canonicals, representing the archbishop, was paraded through the streets of *Canterbury*, and an effigy of "his grace" was burnt amidst the groans and execrations of the people. So it happened at several other places. Mock priests officiated, and gave out chaunts, which the people sung with great approbation! The following verse may serve as a sample of the mad feeling that prevails.

"Remember, remember,
That God is the sender
Of every good gift unto man;
But the Devil, to spite us,
Sent fellows with mitres
Who rob us of all that they can."

At Huddersfield, the effigy of the bishop of Landaff, curiously fitted up, was burnt. A mock priest read an address to the multitude, concluding thus—

"We commit his infamous body to the flames, earth to earth, ashes to ashes, dust to dust, in the certain belief that eternal damnation will be his portion, and that he will never inherit a glorious resurrection!"

"Good Lord, put down aristocracy,
Let boroughmongers be abhorred,
And from all tithes and shovel hats
Forthwith deliver us, good Lord!"

THE BODY OF CLERGY of England and Ireland cost £8,852,000 a year, their followers amounting to 6,400,000 people. The dissenters in England and Ireland amount to 14,600,000 people, who pay their religious instructors £1,024,000 per annum. The clergy of the whole Christian world (England and Ireland excepted), which contains about 188,728,000 people, receive altogether but £8,852,000 a year, so that the clergy of all descriptions in Great Britain and Ireland, which have a population of only 21,000,000, actually are paid more than that of the whole Christian world besides, by the sum of £1,098,000 per annum. Vide Mr. Coventry's work 'On the Revenue of the Church of England.' [Eng. paper.]

[England may well be called the paradise of priests.]

"BURKING." New Zealand savages are said to eat the bodies of their enemies slain in battle; but persons in Great Britain are charged with slaying inoffensive persons and eating them—or, what is the same thing, of selling their bodies to the surgeons, that they may obtain food for themselves. "Burking," which is the term used to describe the damnable offence, seems to make some progress, or, at least, to cause much alarm in certain parts of England, and some particulars are given that have terrific appearances. If there is truth in these things, the people ought to "doctor" the surgeons.—They are worse than the half-starved wretches who commit murder that their own families may have food. Among the "Burked," is supposed to be the mate of an American vessel at London.

EXPORT OF FEMALES. The British government is now devising plans to send out to the colonists unmarried females between the ages of 18 and 32. Money to pay their passage is to be furnished. As the export is only contemplated to the colonies, we do not know that this country is particularly interested in the scheme; but the case may easily be imagined in which a "prot. ctive duty" would be necessary, if many of the unmarried females should find their way in this country. It is probable that this shipment of females is to be made to supply the distant colonies with wives, as it is obvious that in all new settlements the number of males greatly exceeds that of females. The idea is, nevertheless, somewhat laughable, and if we were among the colonists, and a score of years younger, we should inquire closely whether the consignments equaled the warranty of

the bills of lading, viz:—"in good order and well conditioned."

[U. S. Gaz.]

[This is sound policy—if it be desired to keep population "in check;" and such as we must resort to, it is ever shall be seriously determined to keep down the amount of our people of color.]

BRITISH NOTIONS. Mr. Bulwer, in an editorial article in the *New Monthly*, in which he compliments our literature, expresses kindly feeling towards this country. The time is fast coming, he says, when America will be a country whose friendship, above all others, England must cultivate, and whose manners and institutions she must accurately know.

In a late number of *Blackwood's Alecto*, North, after expressing his conviction that a revolution in England is approaching, adds:

"'Tis as well to be prepared." To which Tickler replies, "Inter nos, I have already put aside £10,000 in the American funds, my cock; and moreover, I have made a conquest, as we parliament house lads say, of a small crot of some fifty thousand acres, about forty of them cleared, towards the Allegheny region. *Omnis fortis animum patria*—that is to say, if you knock my friend John Bull on the head, I mean to take up with brother Jonathan—who, after all, is a very decent fellow, and in my opinion, more likely to have peace and quiet under his own fig tree, by and by, than any other gentleman of our acquaintance."

A late number of the *London Literary Gazette* has the following:—

"America is the Utopia of our pseudo politicians; and so, too, it seems to be of our poets, judging by the following ironical observation by the author of 'Corn Law Rhymes,' in his introduction to 'the Village Patriarch,' just published:—'The unhappy people of the United States cannot bear to read Crabbe: they think him unnatural, and he is so to them; for in their wretched country, cottagers are not paupers—young men are not compelled to marry or become preachers—marriage is not synonymous with misery—and partridge shooting is not religion to the elect.'"

POPULATION OF THE CANADAS. The returns of the population of Lower Canada, as ascertained by the census of 1830 are nearly complete. They are as follows:

District of Montreal,	287,119
.. Quebec,	151,167
.. Three Rivers,	56,279
.. Gaspé,	1,003

225,568

In the returns from the district of Montreal 17,000 are included for the Seigniorial part of Beauharnois and for the county of Stanstead, from neither of which have returns been received. In the district of Gaspé, also, the population of the county of Bonaventure is conjectured merely, being estimated at 500.

The population of Upper Canada, according to the returns laid before the provincial parliament, is 234,865.

MEXICO. We learn that the conducta from the cities of Mexico and Puebla, reached Vera Cruz on the 25th of November, with \$1,126,834 62, escorted by 70 soldiers only.

The English packet *Caluso* sailed from Vera Cruz for England on the 2d Dec. having on board \$900,000; of which sum \$125,000 were destined for the payment of dividends on foreign loans.

PATENTS. The number of patents issued from the beginning of the present year to the 1st December, is 540; and from the establishment of the patent office in 1790 to the same date, 6,911; of which number 5,951 remain unrecorded. To bring up these arrears, says the secretary of state, would require the labor of five clerks for three years; and to keep up the current business of the office, and record, agreeably to the existing laws, the patents to be issued in future, would require two competent clerks in addition to the present number. He recommends an appropriation for this purpose. He also suggests the propriety of increasing the fee for obtaining patents, in order to check the numerous ap-

"A person, when resident in a certain part of the United States, which is receding into a wilderness, used to say—that he must seek a new location; for that, a while ago, he made out by eating one negro, but was then compelled to devour two yearly. That is, sell two, that the demands upon him might be satisfied.

plications from persons whose alleged improvements and discoveries have not the slightest claim to originality. [National Gazette.]

THE AMERICAN NATION. The nature of our political system is well described in the annexed passage of the opinion of the supreme court of the United States, in the case of *Cohen vs. Virginia*, as delivered by the chief justice.

"That the United States form, for many, and for most important purposes, a single nation, has not yet been denied. In war we are one people. In making peace, we are one people. In all commercial regulations, we are one and the same people. In many other respects, the American people are one. And the government, which is alone capable of controlling and managing the interests in all these respects, is the government of the union. It is their government, and in that character they have no other. America has chosen to be, in many respects and for many purposes, a nation; and for all these purposes, her government is complete; to all these objects it is competent. The people have declared, that in the exercise of all powers given for these objects, it is supreme. It can, then, in effecting these objects, legitimately control all individuals or governments within the American territory. The constitution and laws of the state, so far as they are repugnant to the constitution and laws of the United States are absolutely void. The states are constituent parts of the United States. They are members of one great empire; for some purposes sovereign, for some purposes subordinate."

THE CHOCTAWS. Fulsom's party of emigrating Choctaws, 500 strong, arrived at Port Arkansas early last month, in a steamboat.

VALUABLE DISCOVERY. From the *Franklin*, (New York), *Republican*. A bed of fine steel ore has recently been discovered by James Duane, Franklin county. It is said to be of a quality superior to that of the best English blister steel, and competent judges have pronounced it capable of being manufactured into the finest edge tools.

The above article from the *Keesville Herald* would, it appeared to us, irresistibly lead to the conclusion that the discovery alluded to is wholly fabulous. The very limited knowledge we possessed of mineralogy inclined us not to believe in the existence of steel ore. In a recent conversation with Mr. Duane he informed us that the ore is of a species denominated carbonated iron ore. The knowledge of its valuable properties were in some degree accidentally discovered. When first found it was supposed to be of little or no value, having an unusually dark appearance, and failing in other respects to give the usual indications of good iron ore. He was induced, however, to give it a trial in the ordinary manner of working iron ore in forges, and found it easily wrought into a handsome smooth bar, which had the appearance of fine steel. This led him to try its qualities and it has been proved to possess all the qualities of the best steel. Chisels have been manufactured from it which prove equal to the best cast steel, and a cutter or shear for a nailing machine was also made of it which answered an excellent purpose. Should this ore, upon further examination, prove as valuable as present appearances indicate, it must undoubtedly be a source of immense wealth to the owner.

MARIA LOUISA, arch duchess of Parma, has filled up the post of *private favorite*, vacant since the decease of Comte de Niepperg. The fortunate gentleman is M. le Baron Mareschal, who, by a recent *motte-propre*, is attached in the princess's person, appointed to the dignity of major domo of her household and court, with all the honors, all the attributions and prerogatives enjoyed by her late Chevalier d'Honneur, Comte de Niepperg. What a falling off for the widow of le grand Napoleon!

THE COMET. There has been no little speculation on the subject of a comet that it is supposed will appear in

course of this year. In presenting the annexed extract on this subject, we would remark that it has been the topic in Europe, and the people of France having been somewhat alarmed, the French philosophical academy sometime ago, caused calculations to be made on the subject and published a report to allay the alarm which had seized the minds of the ignorant classes on the occasion. The result of their calculations went to show that no sort of danger was to be apprehended on the approach of this comet. The following we find in a paper before us:— [Baton Cent.]

The European papers speak of a comet that will appear within 60,000 miles of the earth's orbit, some time in the year 1832. If the earth should happen to be in that portion of its orbit, nearest the path of the comet, in its approach to the sun, they say its motion will be much disturbed, and serious consequences may reasonably be apprehended—M. Lalande has computed that comets may pass within 30,000 leagues without sensibly deranging the motion of the earth. The comet of 1470 approached so near the earth as to increase its periodical time upwards of two days; and had its mass been equal to that of the earth, it is computed by La Place, the earth's motion in her orbit would have been equally retarded, and consequently have increased the length of the year nearly forty-nine hours. As no such effect was produced, the disturbing force of the comet was considered insensible. The mass of the comet was 1-500th part less than that of the earth. In 1454 the moon was eclipsed by a comet which must have passed within 200,000 miles of the earth—and it is known that no effect was produced by its attractive force, either on the earth or moon. The immense velocity of comets may be a principal reason why they do not sensibly effect the motion of the planets. That of 1680 was calculated by Newton to move at the rate of 800,000 miles an hour, and Brabone observed one at Palermo in 1670, whose velocity he computed to be equal to 2,500,000 miles an hour. The comet of 1450 is best known by astronomers. Its period is computed to be about 76 years, though from its motion being disturbed by the planets it is sometimes longer. It appeared in 1632 very bright; and was looked after with very great anxiety in 1758;—but Clairault determined from calculation that it would not appear till April, 1759. The increased length of its period he attributed to the influence of Jupiter and Saturn, near which it would pass. It accordingly approached nearest the sun on the 12th of March, 1759. If this is the comet to which the European papers refer, it will not appear till 1834 or 5. The distance of this comet from the sun, when in the extreme end of its orbit, is about 82,000,000 miles; yet it returns regularly, and its period has been calculated by the mathematicians within 30 days!

[A paragraph in one of the French papers postpones the fatal visit of the comet of 1832 to the year 87,832! Whether it is the one above alluded to or not—we are uninformed.]

FOREIGN NEWS.

An arrival at New York brings advices to the 23d November from France.

A courier arrived in Paris from London, the evening of the 18th of November, bringing the treaty, signed on the 15th of that month, between the five powers and king Leopold, incorporating the 24 articles of that between Belgium and Holland, with three additional clauses. Art. 25 places all the preceding articles under the guarantee of the five powers. Art. 26 declares that there shall be peace and amity between the king of the French, the emperor of Austria, the king of Great Britain, the king of Prussia, and the emperor of Russia, on the one part, and the king of the Belgians on the other. Art. 27 prescribes that the treaty shall be ratified, and the ratifications exchanged within two months at latest. The king of Holland still refused his sanction to the treaty.

A riot took place at Rieupeyrroux on the 7th November, owing to the opposition of the people to pay the consolidated duties. The mayor, though supported by three regiments of *gendarmerie*, was unable to suppress it. On the arrival of the prefect, the president of the

tribunal, the procureur du Roi and the general in command of the district, the mal-contents submitted, and promised to pay, forthwith, the demands against them.

The disarming of the garrisons of Piedmont were rapidly going on, and those of Savoy, Chambery and Aunecy are merely kept up in sufficient number to mount guard; the army of the north were quitting the frontier and returning to their garrisons and quarters—this dispersion of armies and disarming of garrisons, is hailed as a sure indication of continued peace.

Several journalists in France had been prosecuted and fined.

The widow of the late unfortunate lord Edward Fitzgerald died at Paris, about the middle of November.

A large number of new peers, *for life*,* had been created, and many officers, who had been deprived of their commissions under former dynasties, restored to command. Several of the newly created peers had taken their seats in the chamber of peers. The creation of these peers has given great offence, and some of the journals, which had before supported the ministry, had turned round and joined the opposition.

POLAND AND RUSSIA.

The accounts from Poland are filled with gloom—scarcely a family that has not lost some relative by the war; prosperity is destroyed, and trade is in a wretched state of depression.

The emperor of Russia, upon whom a demand was made by the Prussian government, has refused to pay the expenses of the Polish army in passing through Prussia: he has also forbidden the officers of the several corps who sought refuge in Prussia, from either returning to Russia or Poland.

The brave Schryznecki, Dembinski, and a number of other Polish generals, together with the countess Plater, had determined on seeking an asylum in Paris. The first named had reached Berlin on his way thither.

ENGLAND.

The cholera, in England was chiefly confined to Sunderland, though there had been new cases at Stockton and New Castle, and these caused but little havoc. The Paris *Constitutionnel* states that letters had been received from London, containing the intelligence of the cholera having made its appearance on board of vessels in the docks—the silence of the London papers on this head are considered as conclusive that this information is incorrect.

The reform question, and the meeting of parliament, were the engrossing subjects of interest. A further prorogation of parliament had been determined on. The plan of creating new peers was gaining additional strength.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

January 5. The bill to reduce the duty on Indian blankets and certain other Indian goods, was read the second time; when Mr. Benton moved to refer it to the committee on finance. He thought, in justice, the bill ought to go to the committee on Indian affairs, for consideration; but he yielded to the opinions of others, and consented to refer it to the committee on finance.

Mr. Dickerson moved to refer the bill to the committee on manufactures.

Mr. Benton said, that he perceived that the gentleman was disposed to have the present bill to take the same course that the salt bill heretofore introduced had taken. He was of opinion that there was another committee besides that of finance, that should take precedence of the committee on manufactures. He alluded to the committee on Indian affairs. That committee had the concerns of the Indians, and the trade of the United States with them, under their supervision; and as the present bill proposed a measure calculated to affect that trade, it more properly belonged to that committee, than the committee on manufactures.

Mr. Dickerson said, that in the case of the bill to repeal the duty on salt, and also on the present occasion, he thought that gentlemen were disposed to have

the subjects referred to that committee which had the least concern, and felt the least interest in them. The argument of the gentleman went to show that the reference should be to the committee on the affairs of the Indians, because it might have some connexion with them—while he was opposed to its reference to the committee on manufactures, although its adoption would evidently, as in the case of the salt bill, have a more decided and important bearing on the manufacturing interest than upon any other in the country. Both bills, Mr. D. contended, had it in view to remove the protection which the government had deliberately extended to the domestic industry of the country.

The question was then taken upon the reference to the committee on Indian affairs, and decided in the negative, yeas 17, nays 25.

The question then occurred on referring the bill to the committee on manufactures.

Mr. Benton objected to this reference. He observed it was the apparent intention of certain gentlemen to give every thing to the hands of the committee on manufactures—implying that they alone were competent to examine and report on questions of great national interest or importance. The course proposed by the gentleman from New Jersey he considered a violation of the established course of all legislative proceedings, and contrary to all parliamentary rules, relative to the reference of bills.

Mr. Dickerson replied to Mr. Benton, and maintained that the committee on manufactures was the proper one to refer a bill of the character of the present one to, tending as it did to strike at an important branch of manufactures.

Mr. Brown, of North Carolina, protested against the practice of referring bills to a committee hostile to their provisions. He had always understood that it was incumbent upon them to refer bills which were introduced, to the friends of the proposed measure. He referred to the practice in the British parliament to sustain his position, and asked if the American senate would deny them a privilege granted in that body—a body not so favorable to liberty as it was. He wished the subject to undergo a proper examination and therefore opposed its reference to the committee on manufactures.

Mr. Buckner, of Missouri, said, that his colleague, (Mr. Benton), had made the reference a question of order, and had appealed to the rules of the house to sustain his motion for a reference to the committee on finance.—He did not pretend that his experience in the rules of legislation was equal to that gentleman's—but he had always understood that the rule which the gentleman had just read in support of his argument, applied exclusively to select committees,—and could not be made to apply to the present proposed reference to a standing committee. But it was maintained that this measure should be referred to a committee not hostile to the measure. He would ask that gentleman how it could be ascertained whether a committee was hostile or otherwise, before it had expressed an opinion upon the subject.

Mr. B. wished to know how far this bill would clash with the manufacturing interest; and, to ascertain this, it would be necessary to refer it to that committee whose time and attention were devoted to the examination of measures relating to the interest of manufactures. He was of a different opinion from the gentleman from Missouri, and should be opposed to the destructive inroad which this bill was calculated to make upon domestic manufactures. He felt anxious to ascertain how far this measure would affect the manufacturing interests of the country, which could be done only by a full investigation by the committee charged with that object. He should therefore vote for its reference to that committee.

Mr. Smith and Mr. Tyler both opposed the reference.

Mr. Clay said, that he did not rise to enter into a discussion of the question of reference, but in consequence of information given by the chairman of the committee on finance, some ten days ago, in relation to a report which that gentleman had stated it was the intention of that committee to submit to the senate before

*To obtain a majority in the house of peers, to destroy the peerage. A good example to England, at the present crisis.

this time. He rose to inquire whether that report might be expected? He had understood the gentleman to say, two weeks since, that they might expect, on the Monday following, a general scheme of imposts, adapted to the wants of the country, when the public debts should be discharged.

Mr. Smith replied that he did, at the time referred to, hope to be able to submit the report before this time; but that there were some of the committee who were not willing to submit it, until they had received further information on the subject; to obtain which, they had addressed a letter of inquiry to the secretary of the treasury; and they also expected a report from the convention of New York. He could not tell when the required information would be received, and consequently did not know when the report would be ready.

The question was then taken on the reference to the committee on manufactures, and agreed to, yeas 25, nays 18.

January 9. The vice president communicated a letter from the secretary of state, transmitting, in pursuance of a resolution, Greenleaf's large map of the state of Maine, of the year 1828.

A number of petitions and memorials were presented, and among the rest one from the inhabitants of the northern part of the state of New York, praying that a break water may be erected in Plattsburg bay, and a light house on Cumberland head—referred.

Mr. Dallas presented the following memorial from the president, directors and company, of the bank of the United States:

To the senate and house of representatives of the United States, in congress assembled:

The memorial of the president, directors and company of the bank of the United States, in the name and in behalf of the stockholders of the bank, respectfully represents—

That the charter of the bank being about to expire, on the 4th of March 1836, your memorialists deem it their duty to invite the attention of congress to its renewal.

The general considerations which caused the establishment of the bank, the manner in which it has executed the duties assigned to it, and the reasons which recommend its continuance, your memorialists forbear to discuss, since, of these subjects, your honorable bodies are more competent and appropriate judges. They will, therefore, merely state the views which induce their application at this time.

Unless the question is decided by the present congress, no definitive action upon it can be expected until within two years of the expiration of the charter—a period before which, in the opinion of your memorialists, it is highly expedient, not merely in reference to the institution itself, but to the more important interests of the nation, that the determination of congress should be known. Independently of the influence which the bank was designed to possess, and which it necessarily exercises over the state of the currency, by which all the pecuniary transactions of the community are regulated, its own immediate operations are connected intimately with the local business of almost every section of the United States, with the commercial interchanges between the several states, and the intercourse of them with all foreign nations.

Of the value to the community, of the system which, after long and anxious efforts, and at great pecuniary sacrifices, your memorialists have at length succeeded in establishing, it is not for them to speak; their more immediate purpose is to represent, as they do, most respectfully, that the continuance or destruction of that system, thus widely diffused through all the avenues of the productive industry of the country, affecting all the relations of public revenue and private income, and contributing to give stability to all the rewards of labor, is an object of general solicitude. If, satisfied with the practical operations of the institution, your honorable body shall deem it worthy of continuance, it seems expedient to relieve the country, as soon as may consist with mature deliberation, from the uncertainty in which all private transactions, and all public improvements, dependent on the future condition of the currency, and amount of capital disposable for those objects, must ne-

cessarily be involved until your decision is known. If, on the other hand, the wisdom of congress shall determine that the bank must cease to exist, it is still more important that the country should begin early to prepare for the expected change, and that the institution should have as much time as possible to execute the duty, always a very delicate and difficult one, of aiding the community to seek new channels of business, and, by gradual and gentle movements, to press with the least inconvenience on the great interests connected with it.

Under these impressions, they respectfully request that the charter of the bank may be renewed.

By order of the board of directors:

N. BIDDLE, president.

Mr. Dallas said, that being requested to present this document to the senate, praying for a renewal of the existing charter of the bank, he begged to be indulged in making a few explanatory remarks. With unhesitating frankness, he wished it to be understood by the senate, by the good commonwealth which it was alike his duty and his pride to represent with fidelity on that floor, and by the people generally, that this application, at this time, had been discouraged by him. Actuated mainly, if not exclusively, by a desire to preserve to the nation the practical benefits of the institution, the expediency of bringing it forward thus early in the term of its incorporation, during a popular sensation in congress which must cease to exist some years before that term expires, and on the eve of all the excitement incident to a great political movement, struck his mind as more than doubtful. He felt deep solicitude and apprehension, lest, in the progress of inquiry and in the development of views, under present circumstances, it might be drawn into real or imagined conflict with some higher, some more favorite, some more immediate wish or purpose of the American people.

And from such a conflict, what sincere friend of this useful establishment would not strive to save or rescue it, by at least a temporary forbearance and delay? Nevertheless, his conscious inexperience in the forms and contingencies of legislation, inspired a distrust of his own judgment on this merely preliminary point. The determination of the parties interested, may be, nay, must be, wiser and better; and he could not but feel strongly impressed by the recollection that the legislature of Pennsylvania, recently, and in effect, unanimously had recommended the renewal of the charter of this bank. He became, therefore, a willing, as he was virtually an instructed agent, in promoting, to the extent of his humble ability, an object which, however, dangerously timed its introduction might seem, was in itself, as he conceived, entitled to every consideration and favor.

Mr. D. concluded by moving that the memorial be read, and be referred to a select committee of five in number, and that the committee have power to send for papers and papers.

The memorial having been read, and the reference agreed to—

Mr. Dallas moved that the appointment of the committee be postponed till to-morrow.

Mr. Bell said he was not aware of any reason for the postponement; and as none had been assigned for it, he could perceive no propriety in the postponement. It would, also, be a thing unprecedented in the senate; and unless some reasons were adduced in favor of the postponement, he should prefer that the senate should, according to its usage, proceed at once to the appointment of the committee.

The question being put on the postponement, it was negatived. Yeas 13, nays 24.

The senate then proceeded to ballot for the committee, and the following gentlemen were chosen to compose it, viz: Mr. Dallas, Mr. Webster, Mr. Ewing, Mr. Hayne and Mr. Johnston.

Mr. King reported a bill to grant a township of land to the French college of St. Louis; which was read.

The vice president communicated a report from the secretary of war of the expenditures of moneys appropriated for the contingent expenses of the military establishment, for the year 1831.

Various private bills were reported, read, and referred.

Mr. Clay laid on the table the following resolution: *Resolved*, That the existing duties upon articles imported from foreign countries, and not coming into competition with similar articles made or produced within the United States, ought to be forthwith abolished, except the duties upon wines and silks, and that they ought to be reduced; and that the committee on finance be instructed to report a bill accordingly.

The bill for the erection of barracks, quarters, and store houses, and the purchase of a site, in the vicinity of New Orleans, was considered as in committee of the whole; the blank in the bill was, on motion of **Mr. Johnston**, filled with the words "one hundred and twelve thousand dollars," to carry the provisions of the act into effect; it was then reported to the senate, and ordered to be engrossed for a third reading.

Considerable debate on this bill ensued, in which Messrs. Forsyth, Benton, Johnston, Clay and Waggaman participated; the three latter strenuously supporting it.

The senate then resumed the consideration of the bill regulating the duties and providing for the compensation of pursers in the navy—postponed to Thursday next.

The senate then resumed the consideration of the bill providing for the pay of navy agents. The bill makes a specific allowance to these officers, instead of a percentage as heretofore. After some conversation respecting the details of the bill, it was ordered to a third reading.

The senate then resumed the consideration of the bill to provide for the distribution of the duties of the commissioners of the navy, and for other purposes.

After some discussion of the details of this bill (on the part of Messrs. Hayne, Chambers, Foot, and Webster, the bill was, by consent, postponed to Friday next, and The senate adjourned.

January 11. **Mr. Smith** presented the memorial of the Baltimore and Ohio rail road company, praying for such a subscription, on the part of the United States, to its stock, as will enable the company either to complete the road to its termination on the Ohio, or so far advance it as to make the completion easier to individual or corporate enterprise. Referred to the committee on roads and canals.

Mr. Tipton offered a resolution to inquire into the expediency of improving the navigation of the Wabash.

Mr. Evans moved a resolution requiring 50 lithographic copies of Mitchell's map of the British provinces in North America, as includes the territory northwest of the river Ohio, as designated by the ordinance of 1787, &c.—which was agreed to.

The following resolutions moved yesterday by **Mr. Benton**, were taken up and agreed to.

Resolved, That the secretary of the treasury be directed to furnish the senate with the names and titles of the foreign stockholders of the bank of the United States, and a statement of the stock held by citizens of the United States, with the number of shares held by each, and the state or territory of their residence; also, the amount of specie, according to the last return, in the vaults of the bank and its branches, distinguishing the part which belongs to the bank, the portion which belongs to individuals, and to the United States.

Resolved, That the secretary of the treasury be directed to lay before the senate a list of the directors of the bank of the United States, and of the several branches, and a statement of the stock held by citizens of the United States, with the number of shares held by each, and the state or territory of their residence; also, the amount of specie, according to the last return, in the vaults of the bank and its branches, distinguishing the part which belongs to the bank, the portion which belongs to individuals, and to the United States.

Resolved, That the secretary of the treasury be directed to lay before the senate information, first, of the amount of debt due from individuals, and bodies corporate, to the bank of the United States and its branches, distinguishing the amount secured by mortgage from that secured by personal security alone, and what portion of said debts are considered as standing accommodations to the customers of said bank and its branches.

Resolved, That the secretary of the treasury be directed to lay before the senate monthly statements of the affairs of the bank of the United States for the year 1831.

The resolution moved by **Mr. Clay**, on Wednesday relative to instructing the committee of finance, to report a bill repealing certain duties, was taken up, and on motion of **Mr. Hayne**, made the order of the day for Monday next.

Mr. Clay addressed the senate at considerable length, in support of the resolution.

"In consequence of the expectation that **Mr. Clay** would speak, the galleries of the senate chamber were

crowded to excess, at an early hour—and, finally, the floor of the senate was invaded by a dense crowd of fair auditors—the very area being taken possession of by them! It is spoken of as one of the most brilliant gatherings ever witnessed on a like occasion.

Mr. Clay spoke about two hours. His remarks cannot be received in time for the present sheet. He was decisive in the maintenance of the protective policy, and that of internal improvement.

He was followed by **Mr. Hayne**, who in a few remarks, preface his motion for a postponement. The senate then adjourned.

January 12. The vice president communicated a report from the secretary of the treasury, containing a list of applicants for the U. S. insolvent act—the nature and amount of the debts due to the U. States from each, also the names of those who have obtained a release, together with the terms of compromise in each case.

Mr. Silsbee presented the petition of the merchants of Boston, praying in the event of a modification of the tariff, that certain regulations as to the granting of debentures may be adopted.

A number of private memorials were presented.

Mr. King reported a bill, concerning the price of certain public lands—also the bill to permit the state of Louisiana to enter the back lands.

The resolutions moved yesterday by Messrs. Foot, Moore and Dallas, were severally considered and agreed to, that of the first named gentleman so altered as to request the information of the president instead of the secretary of war.

Mr. Rugles moved a resolution relative to the map of the north western territory, ordered to be furnished on the 11th inst.

The bill authorising the making of a road, &c. from Line creek to Chatahochee, was read the third time and passed.

The bill for the organization of the ordnance department, was considered, amended, and ordered to be engrossed for a third reading.

The senate went into business of a confidential nature, and after spending some time therein, the doors were opened, and the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 6. **Mr. Cuthbert T. Hawkins**, from North Carolina, appeared, was qualified, and took his seat.

Mr. Wickliffe reported the bill from the senate, supplementary to an act granting pre-emption rights to settlers on the public lands, with an amendment, which was concurred in by the house, and it was ordered that the said amendment be engrossed and read a third time.

Mr. Wickliffe also reported a bill authorising the sale of 20,000 acres of the saline lands in the state of Illinois.

Mr. Vance reported a bill for the relief of Nathan Towson, paymaster general of the army of the United States—twice read, and ordered to be engrossed and read a third time on Monday.

Mr. Keer made a report, accompanied by a bill establishing a territorial government north of the states of Illinois and Missouri, and west of lake Michigan, to be called the territory of Wisconsin—twice read and committed.

Mr. Davis, from S. C. reported a bill to authorise the president to run and mark a line dividing the territory of Florida from the state of Georgia—twice read and committed.

Mr. Taylor reported a bill concerning the issuing of patents to aliens for useful discoveries and inventions—twice read and ordered to be engrossed for a third reading on Monday next.

Mr. McDuffie reported a bill making appropriations for the naval service for 1832—twice read and committed.

Mr. Cooke, of Ohio, instituted an inquiry into the propriety of granting an appropriation for the examination and surveys of the mouth of Sandusky river, with a view to the improvement of the navigation thereof.

crowded to excess, at an early hour—and, finally, the floor of the senate was invaded by a dense crowd of fair auditors—the very area being taken possession of by them! It is spoken of as one of the most brilliant gatherings ever witnessed on a like occasion.

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Ed. Rzo.

Several resolutions concerning the claims of individuals were offered and adopted.

On motion of Mr. *Barber*, the committee on military affairs were instructed to inquire into the expediency of improving the construction and repairing Fort Griswold, on Gorton Heights, in the state of Connecticut.

On motion of Mr. *Bates*, the committee on manufactures were instructed to inquire and report to this house, as near as may be, what amount of hemp has been produced in each of the United States, in the years 1828, 1829, 1830 and 1831, with the average price at which it has been sold in the market.

On motion of Mr. *Ashley*, of Missouri, an inquiry was instituted as to the propriety of granting an appropriation for the purpose of improving the navigation of the Mississippi river, from the junction of the same with the river Missouri, to the town of Galena, in the state of Illinois.—Also, as to the expediency of making a sufficient appropriation for the purpose of locating and constructing the national road from St. Louis, in the state of Missouri, to the seat of government in that state.

Mr. *McKeanan* moved the following resolution:

Resolved, That the secretary of war be directed to report to this house an estimate of the sum which will be necessary to make a thorough repair of the national road from Cumberland to Wheeling.

Mr. *Whitlsey* moved a resolution calling upon the secretary of war to report a copy of the survey and estimate of cost made for a canal, by the corps of engineers of the United States, from Portage Summit, to intersect the line surveyed in Pennsylvania by col. Kearney.

Mr. *Barber*, moved a resolution requiring information of the secretary of war, relative to the claims of the state of Connecticut for disbursements made by that state, and for the services and expenses of her militia during the late war.

Mr. *Sevier* offered the following resolution:

Resolved, That the commissioner of the general land office be requested to furnish this house, for the use of the committee on the public lands, with a copy of all the instructions given by said department to the registrars and receivers of public moneys in the territory of Arkansas, of a date subsequent to the 17th of October, 1828, respecting the proof to be received by said officers in support of donations to land granted to sundry citizens of Arkansas, by an act of congress of the 24th day of May, 1828.

In support of the resolution, Mr. *Sevier* observed that he hoped the house would sustain him in the call. He had been long endeavoring to get at this information by correspondence with the gentleman referred to in the resolution, but without success. He wished to bring that gentleman to his senses—he wished him to understand that in seeking the information he desired, he was supported by the votes of this house. If the gentleman was unable from sickness or any other cause to attend to the duties of his office, let him give it to some one who would attend to them. He wished to bring the gentleman to reflection, and if he found that when backed by this house, he was still unable to get any thing out of him, he should then know it was time to go elsewhere, and apply to the head man of the manger.

Mr. *Hickiffe* suggested the propriety of modifying the resolution so as to make the inquiry from the head of the department, and not a subordinate officer; and he therefore moved to substitute "the secretary of the treasury" for "the commissioner of the land office."

Mr. *Sevier* replied that he had no objection so to modify the resolution. He had great respect for the secretary of the treasury, and so he had for all the other officers of the department, except that one, and perhaps he was giving him too much consequence by naming him in the resolution.

The resolution as modified was then agreed to.

Mr. *Bates Cooke*, of New York, offered the following resolution:

Resolved, That a committee be appointed to inquire into the expediency of making further provision for extending, and the more effectually carrying into effect the provisions of the act of congress, entitled "an act authorizing the payment for property lost, captured, or destroyed by the enemy, while in the military service of the United States, and for other purposes," passed 9th April, 1816, and the several amendments thereto, and that said committee have leave to report by bill or otherwise.

The resolution was strenuously opposed by Mr. *Whitlsey*, of Ohio, as going to open again all the decisions in the war department, as well as all the reports of the

committee of claims, respecting property destroyed in the last war. The whole subject had been fully discussed in 1824 and '25, and a law passed, allowing an investigation of cases, which had been before the commissioner of claims, and had been referred to the third auditor. He believed that law had gone as far as any law on the subject ought to go, and the \$250,000 appropriated to satisfy claims arising under it, were nearly exhausted. He objected to the indefinite phraseology of the resolution, and warned the house against rashly adopting it.

Mr. *Johnson*, of Kentucky, spoke at considerable length in reply. The bill of 1816 providing for these claims, had been reported by the military committee, its provisions continued only for eighteen months or two years. Since then all individual cases had come up to the house by petition. The consideration of these cases in detail occasioned much delay, and he argued to show that it would be better to have a general provision covering the whole. He gave an amusing account of a correspondence between himself and his constituents, respecting horses lost, and though he admitted that all the decisions of war could not be paid for by government, yet where claims for losses could be distinctly ascertained and reduced to a general principle, they ought to receive a general provision by law.

The debate was further proceeding, when it was adjourned.

Mr. *Hubbard*, of New Hampshire, who moved that the house do now proceed to the orders of the day.

The house then resolved itself into a committee of the whole, on sundry bills for the relief of thirteen individuals, which bills were severally twice read and ordered to be engrossed for a third reading on Monday next.

The speaker laid before the house a letter from the first comptroller of the treasury, transmitting a statement of the accounts which have remained unsettled more than three years on the books of the fourth auditor of the treasury—laid on the table.

The house then proceeded to consider the following resolution, moved by Mr. *Heuter* on the 22d December, ult. and laid on the table:

Resolved, That the post master general be directed to furnish this house a statement of the annual amount of postage received on newspapers and periodicals for the preceding five years, designating the amount received on each. Also, his views on the expediency or inexpediency of abolishing the postage on newspapers and periodicals, or either of them.

At the instance of Mr. *McDuffie*, the latter clause of the resolution was modified by substituting for it, "and also what will be the effect of abolishing such postage on the revenue and operations of the post office department," and also by inserting "three" instead of "five" years, as the period of inquiry.

Mr. *McDuffie* advocated the resolution in its modified form; he thought it important to have the judgment of the officer at its head, whether the department could sustain itself, should the postage on newspapers and periodicals be abolished.

Mr. *Everett* thought letter postage was one of the heaviest taxes paid by the people of the United States. It was more universal than any other, and in its practical operations exceedingly unequal. The requiring double postage, on double letters, was not regulated on equal principles. The postage was doubled for the smallest and slightest enclosure—a bank note or a receipt paid as much as the largest letter; and also in apportioning the postage to the distance, the law was very unequal and oppressive. He did not wish to embarrass the operations of the department so as to make it a charge upon the revenue, nor did he think that such would be the result of the measure proposed. He thought by decreasing the postage, the number of letters would be increased,—and, consequently, that the revenue would not be diminished. He, therefore, moved that the resolution be further modified, by adding these, or the like words—"also, his opinion as to the effect on the operations of the department from the reduction or abolition of postage on letters, newspapers and periodicals."

This was also accepted as a modification by the mover.

Mr. *Ingersoll* coincided with Mr. *Everett*—he thought that the poorer citizens were restrained, by a dread of the postage they must pay, from writing letters to their friends.

Mr. *Arnold* moved to extend the inquiry, so as to include the amount of costs which the department paid for publishing its advertisements throughout the United States, and also the total number of newspapers published in the union.

Mr. *Carson* said that the gentleman from Tennessee, (Mr. A.) had presented a memorial upon the subject which had been referred to the proper committee, and he inquired whether the report of that committee would not embrace the subject of the inquiry.

Mr. *Russell*, the chairman of that committee, nodding assent, and observing that he had asked the information required, of the post master general—

Mr. *Carson* then moved that the resolution lie on the table—which motion prevailed.

The house then adjourned.

Monday Jan. 9. Mr. *McDuffie* presented the memorial of the president and directors, on behalf of the stockholders, of the bank of the United States, asking for a renewal of their charter.

After the memorial had been read,—

Mr. *McDuffie* moved to refer it to the committee of ways and means.

Mr. *Davis*, of South Carolina, moved to refer it to a committee of the whole house, on the state of the union.

A motion was also made to refer it to a select committee.

Mr. *Wayne*, of Georgia, said, that he had on a former occasion expressed his objection to the reference of this subject to the committee of ways and means; and he should not trouble the house by repeating now, what he had advanced at the commencement of the session in favor of the appointment of a select committee; but he called upon gentlemen to consider what was the attitude of the committee of ways and means in reference to the bank question, and to compare it with the attitude in which that question had been presented to the house by the president of the United States; and he would ask whether it was not manifestly proper to submit the memorial to a committee entirely unconnected upon the subject. But this was not the object for which he had risen—the present question had not come upon him unexpectedly—he had been aware before he entered the house that a memorial of this kind would this morning be presented, and when he looked back upon the occurrences of the last four weeks, and remembered what had taken place at a late convention in Baltimore, and the motives which had been avowed for bringing forward the subject at this time—he must say, that gentlemen ought not to permit a petition of this kind to receive the attention of the house. Who could doubt that the presentation of that memorial was in fact a party measure, intended to have an important operation on persons occupying the highest offices of the government? If, however, it should be considered necessary to enter upon the subject at the present time, Mr. *Wayne* said he was prepared to meet it. But when gentlemen saw distinctly before their eyes, the motive of such a proceeding, he hoped, that notwithstanding there might be a majority in the house in favor of the bank, gentlemen would not lend themselves to that kind of action. Could it be necessary to take up the question of re-chartering the bank at the present session? Gentlemen all knew, that four years must pass, before its charter would expire, and that congress had power to extend the period, if farther time was necessary to wind up its affairs. It was known that other subjects of an exciting character must come up during the present session, and could there be any necessity, or propriety, in throwing additional matter into the house calculated to raise that excitement yet higher? He trusted some individual would follow him who might be able to present the subject to the house in a stronger light than he could. He should be willing in the very outset, to meet it by a motion to lay this memorial upon the table; but he would not make that motion at present, inasmuch as it would preclude a discussion which he wished to see proceed. He would, therefore, reserve himself for such ultimate action in reference to it as he might consider proper.

Mr. *McDuffie* said that if he even could suppose that the Baltimore convention had had any thing to do with

the presentation of the present memorial, he trusted that he, at least, would be free from the suspicion of acting in this house as the agent of that body, if any man in the United States could be free from such a suspicion. So far, however as regarded the president, directors, and company of the mother bank, he must say, that, so far as his situation had given him an opportunity of having any knowledge of them, (and he had had much to do with those gentlemen), he did not believe that there existed within the limits of this union, an organized body more perfectly exempt from any just liability to the charge of acting from political considerations; and so far from having had the remotest connexion with any political movements either at Baltimore or elsewhere, he should rather come to the conclusion that the present memorial had been presented after a consultation with the party to which the gentleman from Georgia, as well as himself, belonged, than with those of opposite party-opinions. He regretted exceedingly that this should have been regarded as a political question; but it was the misfortune of our country, that no subject of any kind could be started, which had reference to the general interests of the people, but it must instantly be converted into a political question, and connected with that absorbing topic, a topic which he feared would one day prostrate the liberty of the country—the election of a president. Could not the consideration of any question, referring to the interests of the country, be entered upon, but it must be to put this man into office and that man out? Could no question of any kind be disposed of with a calm impartial judgment? He should deeply regret if any gentleman, in acting on the present subject, should be influenced by the question, how its decision would touch the election of this man or that. He could not possibly see how it could have any thing to do with the matter. Why must this be made a political question at this time more than at any other? Did the gentleman from Georgia suppose that the progress of purification would be such that at any future time personal considerations would cease to operate? If, while the present incumbent occupied the presidential chair, the bank question must of necessity have a political aspect, was it to be supposed that two years hence, when there were two or more gentlemen, candidates for that situation, the discussion of it would be any more disinterested? No! cried Mr. McD., it is the imperfection of man that presents the difficulty; and until that shall cease, the gentleman from Georgia will never get out of it. The president and directors of the mother bank had been governed, not by political or party motives, in presenting this memorial, but by the obligation under which they lay, not only to the stockholders, but to the government of the United States. What would be the effect of refusing to renew the charter, or to act upon the subject, till two years, or till a single year, before its expiration. Could the gentleman from Georgia have reflected upon the consequences? That bank had given a credit of 50,000,000 to the people of the United States. What did he suppose must be the effect of suddenly withdrawing that credit? Its effect, not only to the individuals to whom the credit had been given, but to all others connected with them? It would be nothing short of utter desolation. Whether the charter were to be granted or refused, the house was bound in every view of the subject to act upon it now, and to act definitively. A period of four years was not more than was indispensably requisite to wind up the concerns of such an institution. If the consideration of the subject at this time was necessarily attended with any embarrassment, he should regret it; but still he must hold the great leading interests of the country to be paramount to all political and party considerations. If it was in the power of gentlemen to discard all such feelings in considering the great question to which this memorial referred, he earnestly hoped that it might be done.

Mr. *Cambreleng*, of New York, said that he heartily joined in the wish just expressed by the gentleman from South Carolina, (Mr. *McDuffie*), that the subject might be approached without any thing like political excitement; but that gentleman and himself must live far beyond the ordinary length of man's life, if they ever lived to see that question separated from party consid-

derations. If his recollection did not very much deceive him, that gentleman, in the beginning of the session, had expressly said that the bank question should sleep in his committee throughout the residue of the session.

Here Mr. *McDuffie* interposed, and said that the gentleman had entirely misunderstood him—that he had never made any such assertion.

Mr. *Cambreling* said he stood corrected. He concurred with the gentleman that the subject ought to be met, but he hoped that in considering it, the house would deliberate long, and reflect maturely. They would thoroughly examine the great question, whether any bank in the country could have the power to issue a currency from all its branches in every part of the country—payable nowhere.

Here Mr. *McDuffie* was about to interpose, when Mr. *Cambreling* said he was not going to enter into the merits of the general question; but had risen for the purpose of suggesting to the gentleman from Georgia, (Mr. *Wayne*), not to move to lay this memorial on the table. He was for himself willing and ready to meet the subject. He wished also to make an appeal to the gentleman from South Carolina, (Mr. *McDuffie*), whether he would persist in his motion to refer the memorial to the committee of ways and means, seeing that if it should go to a select committee, that gentleman would occupy in such committee the same station he held in the standing committee to which he belonged, and whether he would not consent that the subject of re-chartering the bank should go to a select committee, as it had heretofore done. He had joined with that gentleman in referring so much of the message as related to this subject to the committee of ways and means. But, the consideration of a memorial which would require the whole subject to be sifted to the very bottom, was, of itself, sufficient to occupy a committee during the whole session of congress. The committee of ways and means was charged with the revenue and finances of the country, and could not give it that attention which it required. He therefore suggested to the gentleman from South Carolina, whether he ought not, in justice to others as well as to himself, to move the reference of the memorial to a select committee.

Mr. *McDuffie* replied, that to do so would not be to comply with the order of proceeding in the house, inasmuch as the subject appropriately belongs to the committee on finance.

Mr. *Cambreling*, thereupon moved that the memorial be referred to a select committee.

Mr. *Coulter*, of Pennsylvania, said that he had not been so fortunate as the gentleman from Georgia, (Mr. *Wayne*), inasmuch as he had not heard that such a memorial was this day to be presented to the house, and the only reason he felt any particular interest, as to the disposition of it, was, that many of the petitioners resided within the state from which he came. He had the same interest in the general subject as the other citizens of the country. What was the subject before the house? A petition had been presented from a number of highly respectable citizens on a subject really interesting to the nation. Had they not a right to address this house? Had they approached it with an address upon a light and frivolous subject? A subject improper to occupy the attention of the legislative body? No. It was a subject which claimed the attention not only of that house, but of the whole union. A subject which must undergo the action of the Legislature, at some period not far distant. And how was it proposed to treat these citizens? If he had not misunderstood the gentleman from Georgia, that gentleman had proposed that these citizens, together with the subject on which they petitioned, should be contemptuously thrown under the table, and that on the ground that it was a subject not fit at this time to occupy the attention of the representatives of the United States. What were the reasons advanced in support of this position? Why that the subject of the petition partook of a party character, or that the presentation of the petition was connected with certain other political movements in the country? This might be a good reason with the gentleman from Georgia, as he very possibly was in the secrets of the party that had met at Baltimore, but as for himself he was not. He stood on that floor as a

representative of the people—prepared to act on the subjects which in that capacity might be brought before him. He was governed by no such considerations—he knew of no connexion of the memorial with any party or other proceedings at Baltimore. All he knew was that the petitioners resided in the state of Pennsylvania; that they had a right to present the memorial, and had acted properly in doing so, and a mere allegation that the paper was connected with political movements at Baltimore, formed no reason why he should not exercise the responsibility which had been committed to him. It had been said that the bank question always would be connected with the politics of the country. If that was true, it was an objection that would apply equally at all times. But such was not his view of the subject. He hoped that the great experiment of a representative government had not so completely failed that a legislative assembly could not pronounce upon a great subject connected with the interests of the country, without being governed by predilections for men and by feelings of mere party politics. The moment he should be compelled to believe that, he should conclude that the great republican experiment had failed; for it was the same to him whether a despot on the throne domineered over the country, or some demagogue who issued his proclamations, from a committee room, or elsewhere, controlled public opinion, and ruled the country. If great questions of national policy were to be settled on the paltry politics of the day, or by a mere preference for individuals, the people ought to know it. It was because he believed that that house was capable of deciding such a question as this of the bank on purely national principles that he believed that the present memorial ought to receive the action of that house. He should not enter upon any considerations which touched the merits of the question: he would only say, in general, that the paper before the house was a respectful petition on a subject every way fit for the action of the house, and ought to receive its action. Were gentlemen to be deterred from the consideration of the memorial by such reasons as had been offered by the gentleman from Georgia? He hoped that every man who felt in his own bosom higher and nobler principles of action than that gentlemen had alluded to, would not be deterred from the discharge of his duty; that the man who stood there as a representative of the people, and felt that he was worthy so to stand, would act in such a manner as to show that he was above the reach of such motives. Let him suppose that this house was to be wrested from the course of duty and patriotism and perverted and debased into a mere party machine, what, he asked, would be the most direct mode of accomplishing such an end? He knew of none more directly calculated to effect it than that which had been now pursued by the gentleman from Georgia. If any gentleman on that floor chose to become the trumpet to blow the rally of party, he might perhaps succeed in carrying a portion of the house with him; yet he must still believe that house capable, in spite of all such efforts, of deciding national questions on national principles. He had no idea that the gentleman from Georgia intended to rally a party; but whatever were the gentleman's intentions, such alone would be the effect of his remarks; nor could he have devised a sifter mode to effect such an object. He had no doubt the gentleman really felt all the boding fears he had expressed, but he could not but consider them as entirely premature. As to the committee to which the memorial might be sent, it was to him a matter of no very great consequence. The only difference between sending it to a select committee, and sending it to the committee of ways and means, is this: that in the committee of ways and means, he had the utmost confidence, but he might not feel quite as much in a select committee. He saw no reason why the subject should not take the same course which it had hitherto done. The committee of ways and means was raised expressly to consider questions connected with the revenue; and he asked whether this subject did not naturally connect itself with the duties of such a committee? None could doubt it. From the days of Alexander Hamilton until that day, they had been closely connected—so closely that, to use the eloquent expression of the gentleman from South Carolina, the one might be called the body

and the other the soul. Why should not the memorial go to the committee of ways and means? It belonged to that committee by the rules of the house, and it had always been referred to them as a preparatory step. Why should it not be now? He could see no valid reason. It had, to be sure, been objected that that committee had already expressed an opinion on the general subject. Very true; and that was the very reason why he wished to send it there. It was parliamentary to refer subjects to committees whose views were favorable; and should not a great question, on which the wisest statesmen of the country had bestowed their thoughts, and expressed their opinions, go to a committee whose views were in its favor, when matters of the most trivial moment were subject to that rule? The object in that very proper parliamentary rule was that a measure proposed might be presented in the most favorable manner—that it might, so to speak, have a fair chance; and, in the language of the books on parliamentary law, that it might not be committed to a nurse who would be sure to strangle it. He did not wish to see this memorial strangled. He wished it to go to a committee where it would receive the consideration which it merited, in order that it might afterwards receive the judgment of the house, unprejudiced and fairly expressed.

Mr. *Appleton* said that the subject-matter of the petition was one of the deepest interest to the community. It was most intimately connected with the commercial interest, but not exclusively so. Every class and every section of the country were interested in the question whether the charter of the bank of the United States should be renewed. He thought that the importance of the interests involved made it proper that the petition should be referred to a select committee, who would give to the subject their undivided attention. The appropriate duties of the committee of ways and means had reference to the finances of the country, which were certainly connected to a certain degree with this institution—but, in his opinion, its bearing on the general prosperity was a matter of greater and paramount interest. Its relation to a sound currency involved, perhaps, the most important question in our whole internal policy. He supposed there was no doubt that, whether referred to the committee of ways and means or to a select committee, according to the principles usually adopted in the appointment of committees, a report would be made in favor of renewing the charter. But it was of the utmost importance that a careful and thorough examination should be had, whether some modifications of the existing charter should not be made on its renewal; and what should be the terms and conditions. He believed it to be susceptible of improvement, and hoped a committee would be appointed who would examine the subject thoroughly, uninfluenced, if possible, by party considerations, which certainly ought not to be connected with this subject.

Mr. *Archer*, of Virginia, said he did not rise to extend, but to make an effort to repress the discussion. If he had doubted the propriety of avoiding discussion, the portion we had just heard, would be sufficiently instructive on that point. It had shewn, that in the event of its protraction, we should have prematurely, not only the controversy on the main subject, but the party altercation supposed to be mixed up with it, which, if displayed here, could bring no credit to the house. His (Mr. A.'s) object in rising was principally to make a suggestion to his friend from Georgia (Mr. *Wayne*) in relation to his own suggestion, that he might be induced to make a motion to lay the memorial on the table. He (Mr. A.) should regret to see this course pursued. Like the gentleman from Georgia, he was the determined adversary of re-incorporation, in every form in which the proposition for the purpose could be presented. He could not consent, nevertheless, to meet the memorial by a motion to lay on the table, as that would not be the mode of encounter to which he was disposed, and which was alone correspondent with the character of his friend from Georgia; that is to say, a direct mode. If such a motion were made, adversary as he (Mr. A.) was, to the object of the memorial, he should vote against the motion. As regarded the disposal of the memorial, it appeared clear to him, that a select committee would be the proper one. This had been the disposal adopted with all former me-

morials. Why vary the mode now? The subject was of a magnitude to entitle it to a special committee. As regarded the committee of ways and means, with its important functions, were not its hands to be regarded as too full, for the great attention which this matter must demand? It was to be remarked, too, that this committee, at a former session, with little variety in its composition, had, in the most formal manner, expressed its opinion on the great question involved. We ought not, as had been said, to put the memorial to a nurse which would strangle it. Neither would it be proper to send it to an inquest in which its late had been prejudged. Let it go to either the committee of ways and means, or a select committee; the chairman of that committee would stand as he ought, in the same relation to it. If the last disposal were adopted, too, the majority of the committee would consist under the usage in that respect, of friends of the measure. The recommendation of this mode was, that it would present the nearest approach to equality in the contest, of which the case admitted.

Mr. *Mercer*, of Virginia, said, it had been considered by all who had spoken that it was necessary a majority of the committee should be in favor of the measure referred to it. All that was contended for was, a minority adverse to it. He thought the object as likely to be gained in the committee of ways and means, as by the appointment of a select committee. The fact that, two or three sessions ago, a report favorable to the measure had been made by that committee, he looked upon as no argument against referring the subject to it now. He wished it to go to the committee of ways and means; and he had looked pretty deeply into the subject. He thought it should go to that committee, because the terms on which the charter should be renewed, if it were renewed, should accord with those matters and measures of revenue which that committee had under consideration. Whatever might be his opinion, generally, as to the present administration, he could safely say, he had as little to do with party politics as any member in that house; but when he saw an opinion upon this question prematurely obtained upon them, as it had been by the chief magistrate, he must condemn him, as he had done his predecessor, when he in silence declared his opposition to measures of internal improvement. The chief magistrate never ought to make public his opinion as unfavorable to a subject, till brought before him as a matter of legislation. He regarded the bank as a public institution, and not in reference to its stockholders. The subject of a national bank had been three decades of men of ability—in time of peril, and in time of peace; after which it could hardly be said that the house now required additional illumination on the subject from the researches of a select committee. He hoped therefore that the memorial would be referred to the committee of ways and means.

Mr. *Davis*, of S. C. moved to refer it to a committee of the whole on the state of the union.

Mr. *Ingersoll* urged the propriety of referring it to the committee of ways and means.

Mr. *Carson* hoped his friend from Georgia, Mr. *Wayne*, would not move to lay the memorial on the table; he was for meeting the question, and preferred a select committee. He deprecated mingling party feelings in the question.

Mr. *Wilde* was favorable to its reference to the committee of ways and means; he thought the question of vital importance to the country, and a decision on the application required by the general interests. He believed the charter of the bank of England would expire before that of the bank of the United States; and he conjured the house to reflect on the effect which its expiration might have upon the capital and currency of this country.

Mr. *Mitchell* considered the application for a renewal of the charter premature; that there was another and more important question, the tariff, to come before the house.

Mr. *Root* preferred a reference to the committee of ways and means—in his opinion the committee which managed the fiscal affairs of the nation was the proper one to take charge of the memorial.

Mr. *Dearborn* thought the presentation of the memorial not at all premature—the president had, for

the last three successive years brought the question to the attention of the house—and if blame was to be attached any where for the agitation of the question, it was to the president, not to the bank.

Mr. Johnson, of Va. and Mr. Howard, of Maryland preferred referring the memorial to a select committee.

Mr. Jenifer said the committee of ways and means was the appropriate one to take charge of it.

Mr. Wayne again alluded to the interference of the convention at Baltimore, acknowledged he was actuated by party spirit. He insisted that there was no gentleman who would tell them that a circumstance which had occurred within these five weeks, had not had an influence in bringing this measure before them at the present time. He avowed that the bank had brought the subject before the house now, with a view of bringing odium on those who should oppose it.

Mr. Sutherland thought the memorial before them should be referred to the committee of ways and means. He wished it to be confided to friends, to united, not divided councils. Parliamentary usage required its reference to a committee which was favorable to it. He asked if the gentleman from Georgia meant to say that the president and directors of the bank had been influenced by a political party, in bringing this measure forward?

Mr. Wayne said, he must first understand if the assurances to which the honorable gentleman had alluded authorised him to ask that question.

Mr. Sutherland said, he would put the question then in another form, and ask him as a gentleman, his meaning in what he had said.

Mr. Wayne said, that he could easily answer this, but it was not his purpose to let the ingenuity of the honorable gentleman bring him into collision with persons for whom he had a high esteem.

Mr. Sutherland said, he was satisfied; the gentleman had given a reason why he did not answer the question.

Mr. Ellenworth denied that the presentation of the memorial was either political or premature.

Mr. Davis withdrew his motion to refer the memorial to the committee of the whole house.

Mr. Hoffman advocated a reference to a select committee.

Mr. L. Condict said, that with a view to prevent the introduction of more speeches, he should move the previous question.

The call for the previous question was seconded by a vote of ayes 95—noes 84.

The main question was then ordered to be put.

Mr. Foster asked for the yeas and nays on the main question, which were ordered. The main question was on referring the memorial to the committee of ways and means. Upon this the vote were as follows:

YEAS—Messrs. Adams, Chilton, Allan, Allison, Armstrong, Arnold, Ashley, Babcock, Banks, Noyes Barber, John S. Barbour, Barringer, Barstow, Isaac C. Bates, Bell, Briggs, Bucher, Burd, Burgess, Cahoon, Choate, Collier, Lewis Condict, Silas Condict, Cleverhous Cooke, Bates Cooke, Cooper, Corwin, Coulter, Craig, Crane, Crawford, Craghton, John Davis, Dearborn, Deans, Dickson, Dodridge, Drayton, Duncan, Edw. Everett, George Evans, J. Evans, Edw. Everett, Horace Everett, Gilmore, Grinnell, Hunter, Hughes, Hunt, Huntington, Ingersoll, Irvin, Isaacks, Jemier, Rd. M. Johnson, Kendall, Kemmon, Henry King, Leitch, Lyon, Marshall, Maxwell, Robert McCoy, McDuffie, McKenman, Mercer, Milligan, Mulhengen, Newton, Farrer, Pendleton, Pitcher, Potts, Remondph, John Root, Root, Russell, Wm. B. Shepard, Southard, Speight, Stanbery, Stewart, Sutherland, Taylor, Philmont Thomas, Tompkins, Tracy, Vance, Verplank, Vinton, Washington, Watson, Wickham, Wilkin, Elihu Whittlesey, Frederick Whitely, White, Wickham, Wilde, Young—100.

NAYS—Messrs. Adair, Alexander, Anderson, Angel, Appleton, Archer, Barnwell, James Bates, Beardsley, Bergen, James Blair, John Blair, Boon, Boone, Boutin, John Brodhead, John C. Broad, Cambridge, Carr, Carson, Collier, Chubb, Claiborne, Clay, Coke, Conner, Daniel, Davenport, Warren R. Davis, Deagan, Dewart, Dumbley, Frider, Frudlay, Fitzgerald, Ford, Foster, Galtier, Griffin, Thomas H. Hall, William Hall, Hammons, Harter, Hawes, Hawkins, Hoffman, Hogan, Holland, Horn, Howard, Hubbard, Jarvis, J. West, Cave Johnson, Charles C. Johnston, Kavanaugh, Adam King, Lamar, Lansing, Leavitt, Leconte, Lewis, Mann, Marden, Vass, McGarity, Wm. McCoy, McIntire, Mitchell, Newman, Nickols, Patton, Pierson, Plummer, Pugh, Edward C. Reed, Renscher, Romer, Aug. H. Shepherd, Soule, Standifer, Stephens, Francis Thomas, Wiley Thompson, John Thompson, Ward, Wardwell, Wayne, Weeks, Whier—50.

So the memorial was referred to the committee of ways and means.

Mr. Ilrie requested to be excused from voting on account of being interested in the result of the question. The house agreed to the request.

Adjourned.

Wednesday, Jan. 11. Mr. Fance, from the committee on military affairs, reported the following joint resolution, which lies one day on the table.

Resolved, That from and after the 1st day of May next, the joint resolution approved 29th April, 1816, authorizing the president of the United States to employ a skilled assistant in the corps of engineers, be and the same is hereby repealed.

Mr. Cambreleng reported a bill to extend the provisions of the act, entitled an act regulating commercial intercourse with the islands of Martinique and Guadeloupe, and to refund the tonnage duty on the French ship Victoire—twice read, &c.

Mr. Binger reported the following resolution which was adopted.

Resolved, That the committee on invalid pensions be instructed to inquire into the expediency of providing by law, that all invalid persons shall commence at the time of the disability received, or at the time of discharge from the service.

On motion of Mr. Hergen, the committee on naval affairs were instructed to inquire into the expediency of constructing a dry dock for the use of the United States navy, at the navy yard at Brooklyn, New York.

On motion of Mr. Ward, the committee on revolutionary pensions were instructed to inquire into the expediency of reporting a bill allowing all persons to be placed on the pension list, under the acts of 1818 and 1820 whose property does not exceed a thousand dollars, or such other sum as the committee may deem expedient.

Mr. Branch reported a bill re-organising the navy of the U. States—twice read and committed to a committee of the whole house on the state of the union.

Mr. Cooke, of New York, submitted a resolution to inquire into the expediency of making further provision for extending, and the more effectually carrying into effect, the provisions of the act of congress, entitled an act authorizing the payment for property lost, captured or destroyed by the enemy while in the service of the United States, during the last war. The committee of claims were charged with the inquiry.

The bill granting compensation to N. Towson, paymaster general of the army of the United States, was read a third time, and passed.

Several bills for the adjustment of private claims were read a third time and passed. Also a bill to amend the several acts establishing a territorial government—a bill granting pre-emption rights to certain settlers on the public lands—and also a bill authorising the state of Illinois to sell 20,000 acres of saline lands within that state. The house then adjourned.

Thursday, Jan. 12. Mr. Archer, from the committee on foreign affairs, which was instructed to inquire into the expediency of reducing the number of our ministers resident abroad above the grade of *charge des affaires*, to three, viz: to England, France and Russia, made a report, which was read and laid on the table.

Several reports on private claims were made, read, and disposed of.

Mr. Millegan moved a resolution to inquire into the expediency of allowing to the clerk of the circuit and district court of the United States for the district of Delaware, and the marshal thereof, additional compensation.

Mr. Jenifer moved the following resolution, viz: Resolved, That a committee be appointed to inquire into the expediency of making an appropriation for the purpose of removing from the United States and her territories, the free people of color, and colonizing them on the coast of Africa, or elsewhere.

In supporting the resolution, Mr. Jenifer observed that the state of Maryland was deeply interested in the subject of the resolution, inasmuch as she possessed a greater actual amount of the population referred to than any other state in the union. Virginia, he believed, stood next, in this respect, and Delaware, in proportion to her whole population, had possibly still more than either. Maryland had severely the evils resulting from the presence of a population of this description, and if there existed within the power of the government a con-

attitudinal remedy, she believed it ought to be applied for her relief. If there was any subject in which that state might be said to feel a more lively interest than in almost any other, it was this. It was expedient, and very desirable, that if any legislation took place on this subject, it should be laid at as early a period as possible. The legislatures of several of the states were now in session, and some of them would be looking to the general government for its co-operation. If, on deliberation, it should be concluded that there was no provision in the constitution, and no means in the hands of the government, then the states would have to look to their own resources; and they ought to know this as early as practicable. He had proposed a select committee on this subject, only because there was no standing committee to whom it seemed to belong.

Mr. Speight said that the subject embraced in the resolution was one of great importance, and he wished the gentleman would consent to defer the reference for a few days. It was one on which he had himself received many communications from his constituents, and he was desirous that some farther time might be allowed him before any action of the house was insisted upon. Mr. S. said he was in favor of the policy which dictated the resolution, and could he be satisfied that the general government possessed the power referred to, he should be very glad to see such a measure adopted. He would suggest to the gentleman from Maryland the expediency of postponing the measure until Monday next. He wished the gentleman distinctly to understand, that he was not against the resolution, but was in favor of the principle contained in it.

Mr. Jenifer said, that he should have no objection to the proposed postponement, did the resolution contain any principle at all, but it contained none. It was a mere proposal for enquiry, and as some of the legislatures of the states were now in session, he was very desirous that the house should go into the consideration of the subject in time to act upon it before those legislatures should rise.

Mr. Archer said, that the objection of the gentleman from North Carolina involved the question whether the house could constitutionally inquire at all into such a subject. If the gentleman from Maryland should refuse to acquiesce in the proposed postponement, Mr. A. though reluctant to do so, should be compelled by duty to move to lay the resolution on the table, in which case, the gentleman would find it a more difficult thing to get his resolution up again for consideration than if it had been postponed.

Mr. Jenifer thereupon agreed to the postponement of his resolution until Monday next.

On motion of Mr. Thomas, of Mil. it was Resolved, That the committee on military affairs be instructed to inquire whether any, and if any, what further allowance ought to be made to the state of Maryland, on account of the expenditures of said state for the public defence during the late war.

The house then, by a vote of 113 to 70 agreed to consider Mr. Bouhlin's resolutions relative to all valorem duties. Mr. Stewart moved to refer the resolutions to the committee on manufactures, instead of that of commerce, whereupon a debate ensued, but before the question was taken, Mr. Polk moved that the house proceed to the consideration of the apportionment bill, which motion prevailed. The committee after spending some time in the consideration of the bill, and after considerable debate thereon, rose, &c.

The bill relative to the erection of barracks at New Orleans was twice read and referred.

The speaker laid before the house sundry communications from the several departments, which were severally read—and then the house adjourned.

THE "FREE TRADE" MEMORIAL.

The "Richmond Enquirer" of the 30th ult. contained the article which follows. It is probable that the editor was advised of the points that "it is probable" will be made. The concluding paragraph of Mr. Ritchie's own remarks will strike mine as being peculiar. YOUNG "now expects every man to do his duty." Well—we hope that every man may—thats all.

Free trade memorial to congress. We understand that the committee appointed by the convention of

Philadelphia, are prompted by the report of the secretary of the treasury, to prepare and transmit their memorial as soon as possible. Mr. Gallatin has summoned the committee to meet at New York on the 4th January. The memorial will therefore, probably be laid before congress by the middle of the month. It is impossible at this time to state specifically the contents of the paper—but it is *probable* that the committee will ask,—

1st. "That after the payment of the debt, the revenue be bona fide reduced to the sum actually wanted to defray the expenses of government, according to their present scale, and without providing a surplus income for other objects not yet authorised by law. 2dly. That, allowing a reasonable time for the gradual reduction of the present exaggerated duties on some articles, all the duties shall be ultimately equalized; so that the duty on no article shall, as compared with the value of that article, vary materially from the general average, or in other words, from the ratio of the whole amount of duties on importation, to the aggregate value of the imported articles subject to the payment of duties. 3dly. That, as a consequence of this principle, wines, teas, coffee, and other similar articles, shall not be added to the list of articles imported duty-free, but shall, on the contrary, be subject to duties nearly equal, in proportion to their respective value, to those laid on other articles."

It has been ascertained, "that the true value of the average annual amount of the imports paying duties, deducting exports, and making several necessary corrections in the official returns, is for the years 1824 to 1829, \$58,300,000; and the average annual gross revenue on merchandise, deducting the debentures and drawbacks, amounts, for the same years, to \$23,124,000. Deducting from this last sum, the appropriation of \$10,000,000 for the public debt, leaves \$13,124,000 for the revenue wanted after the extinguishment of the public debt; or a sum equal to an average duty of 22½ per cent. on the abovementioned value of the imports paying duty, actually consumed in the U. States. If the articles now duty-free were added to the list of those now liable to duty, the average duty would be reduced to 21½. It would be raised to 25½, if wines, teas, coffee, cocoa, fruits and spices, were made duty-free. Allowing largely for errors of calculation or mistaken views of the subject, it may be asserted with confidence, that under any modification of the tariff which may take place, the average duty will be from 20 to 25."

It is said that "the propriety of adopting, as a fundamental principle, the reduction of duties on all the imports to an equal rate according to the respective value of the several articles, independent of its great simplicity, is recommended by the following considerations:

"It will be a rallying point for all our friends, requiring no departure from principle on the part of those who believe the present tariff unconstitutional, and according with the views of those who object to it as unequal and oppressive.

"It is, after all, and considering the difference of habits and localities, the plan most equal on all consumers, and one of which no one can complain.

"It affords the most equal protection to every branch of industry, sufficient to encourage those for which the country is nearly ripe, and gradually every other in proportion to the increase of our capital and population.

"It embraces at once all the mechanics, and every manufacture or other domestic produce, in favor of which, no extravagant duty has been laid, leaving for our opponents those only who are interested in the iron, wool and woollen goods, hemp, cotton goods, below the minimum, and sugar.

"In short, it reduces the question to that of equal and not less efficient, though accidental protection to every branch of industry, in opposition to the present system of selecting for that purpose some favorite families in the vast system and money of all those which it is not necessary to embrace in order to obtain an actual majority."

We respectfully think, that more than \$10,000,000 may be struck off from the amount of the public reve-

nues—judging at least from the late *expose* of the secretary of the treasury—and of course, that the *prospective rate of reduction* of duties may be brought down lower than an average duty of 22 1-2 per cent.

It is said, that the constitutional question, as such, will not be presented in full—but that such a view will be taken of the tariff, as will show its iniquitous and oppressive effects upon the minority, and therefore its deplorable departure from the equal spirit of our political institutions.

Mr. Gallatin will be unable to attend the presentation of the memorial, on account of the serious indisposition he has lately experienced. Judge Harper, from South Carolina will attend—probably Mr. Dew of Virginia—or, if his engagements forbid, then some other citizen of the state will attend in his place. We hope that some of the northern members of the committee will also appear in behalf of the rights of free trade.

The devoted friends of the true principles of the government entertain the hope, that on this question and at this moment Virginia will be true to herself. A correspondent reminds us that she is the frontier state in the anti-slavery system—that she has yet made no important movement—that she has done nothing to disgust the one party or to lose the confidence of the other—that she has manfully and uniformly supported her principles in a calm but firm, in a constitutional but unshrinking manner—that now is the time for her to come forward with all the moral force of her character, and to appeal once more to the congress of the U. States for justice—for an equal participation of the burthens and the blessings of the constitution—to preserve the concord, and perhaps the union of the states, by a wise, just, and magnificent modification. Virginia "now expects every man to do his duty."

MR. GIRARD'S WILL.

We shall take the first suitable opportunity to publish entire the long and important will of the late Stephen Girard—for it will often be needed for reference. Its details are very minute and extensive. As to the college which he has ordered to be built, and endowed with a probable fund of much more than the two millions of dollars directly applied—all the chief parts of its structure are established—the sizes of the rooms laid down, and the thickness of the walls prescribed, &c. The following is that part of his will which has excited most attention, and is inserted to gratify the curiosity of such of our readers as may not before have seen it:

"In relation to the organization of the college and its appendages, I leave, necessarily, many details to the mayor, aldermen and citizens of Philadelphia, and their successors; and I do so, with the more confidence, as from the nature of my bequests and the benefit to result from them, I trust that my fellow citizens of Philadelphia, will observe and evince especial care and anxiety in selecting members for their city councils and other agents.

"There are, however, some restrictions, which I consider it my duty to prescribe, and to be, amongst others, conditions on which my bequest for said college is made and to be enjoyed, namely: *First*, I enjoin and require, that, if at the close of any year, the income of the fund devoted to the purposes of the said college shall be more than sufficient for the maintenance of the institution during that year, then the balance of the said income, after defraying such maintenance, shall be forthwith invested in good securities, thereafter to be and remain a part of the capital; but, in no event, shall any part of the said capital be sold, disposed of, or pledged, to meet the current expenses of the said institution, to which I devote the interest, income, and dividends thereof, exclusively: *Secondly*, I enjoin and require that no ecclesiastical, missionary, or minister of any sect whatsoever, shall ever hold or exercise any station or duty whatever in the said college; nor shall any such person ever be admitted for any purpose, or as a visitor, within the premises appropriated to the purposes of the said college:—In making this restriction, I do not mean to cast any reflection upon any sect or person whatsoever; but, as there is such a multitude of sects, and such a di-

versity of opinion amongst them, I desire to keep the tender minds of the orphans, who are to derive advantage from this bequest, free from the excitement which clashing doctrines and sectarian controversies are so apt to produce; my desire is, that all the instructors and teachers in the college shall take pains to instill into the minds of the scholars, the *purest principles of morality*, so that, on their entrance into active life, they may, *from inclination and habit, evince benevolence towards their fellow creatures and a love of truth, sobriety and industry*, adopting at the same time such religious tenets as their *matured reason* may enable them to prefer. If the income, arising from that part of the said sum of two millions of dollars, remaining after the construction and furnishing of the college and out-buildings, shall, owing to the increase of the number of orphans applying for admission, or other cause, be inadequate to the construction of new buildings, or the maintenance and education of as many orphans as may apply for admission, then such further sum as may be necessary for the construction of new buildings and the maintenance and education of such further number of orphans as can be maintained and instructed within such buildings as the said square of ground shall be adequate to, shall be taken from the fiscal residuary fund hereinafter expressly referred to for the purpose, comprehending the income of my real estate in the city and county of Philadelphia, and the dividends of my stock in the Schuylkill Navigation company—my design and desire being, that the benefits of said institution shall be extended to as great a number of orphans as the limits of the said square and buildings therein can accommodate."

THE COLORED POPULATION OF THE SOUTH.

The following articles, and especially that which is copied from the "Richmond Enquirer," though their subject is always important, have a special interest at the present time. The grand discovery, it seems, has been made, that the "difference—nothing short of frightful—between all that exists on one side of the Potomac, and all on the other, is owing to THAT CAUSE ALONE—the excess of the colored population; and the writer would laugh, if he could laugh at such a subject, at the ignorance and folly of the politician, who ascribes that to an act of the government (the tariff law), which is the inevitable effect of the eternal laws of nature."

I sincerely rejoice that the people of the south have begun to look at a subject, about which a feverish sensibility, and rather rude spirit of domination, has generally prevailed amongst them. If these would have checked the progress of what every one, individually, pronounced an evil, but which all, collectively, adhered to with the grasp of a drowning man, and refused to consider, (as silly persons decline making their wills, because they would not think of that which must happen), it might have been well—but the elements of depopulation, poverty and weakness marched onward. Herein are the causes why "the whites are moving westwardly"—why enterprising and industrious laboring freemen, (the salt of every land), abandon the places of their nativity, in old Virginia especially, "in greater numbers than we [Virginians] like to hear of." But how could it be expected that these would remain to be placed only a little higher than the grade of the colored population—dishonored in peaceful times, yet compelled to fight the battles, or guard the property and persons of those who dishonored them,—when the slaves might "cry havoc," and let loose the foul demons which shewed themselves at Southampton? The power to resist the evil has, (as it ever will), diminished in just proportion to the increase of the evil itself; such "are the eternal laws of nature"—and they are just. The fury of party, and that foolish pride which rejects experience, and continually gathers to itself fresh absurdities to feed upon—with a spirit of boasting, and blindness to decay—would rather attribute the down-hill course of old Virginia to the opening of a road in Arkansas, or the protection of a button factory in Connecticut, than to the real cause which has converted tens of thousands of acres of once productive lands into covets for such wild animals as possessed them, when Powhatan held savage dominion.

over the regions now blackened with slaves. And men have not been wanting in Virginia—men high in authority and possessed of powerful influences, that would rather argue and settle the difference "betwixt the north and north-east side of a hair," than digest the plan and execute a public work, such as the Erie canal or Baltimore and Ohio rail road. And these *will* talk; but they cannot *reason* white working men, gilded with desires to attain independence, to remain in a state of degradation, nor will the severest "chopping of logic," repair the damages inevitably sustained from the migration of these. Quibblers about words, and sawyers of doctrinal points, must give way to practical minds and doers of things—men fresh from the people, not afraid of labor. If as much money had been expended to improve Virginia by roads, bridges and canals, as has been spent in wages paid to members of the legislature for talking about them, works equal to a junction of the eastern waters of Virginia with her waters of the west, might have been accomplished. I think that even Mr. Ritchie will agree with me in this!

I have always opposed that mistaken humanity, or wild enthusiasm, with which some individuals have been affected in regard to the slave population, though as devoutly hating slavery as any one of them. But on the other hand, slave-holders have treated even rightful and proper suggestions on the subject, with a most exceptionable rudeness. It is a matter in which, add on several accounts, the people of all the states in the union have an interest; and the rudeness just spoken of has influenced some to say, "we shall laugh at your calamity and mock when your tear cometh." But this disposition is entertained only by a few—nine-tenths of the citizens of the non-slave-holding states are willing to *assist*—to follow the leadings of those of the slave-holding states, in any reasonable plan that may be adopted to relieve the pressure of the colored population; they are willing to put their hands into the common purse of the nation, and will be really glad to find that Virginia shall *again* think that the general government has some constitutional power in relation to the subject. Nine-tenths of all the bad dispositions that prevail between inhabitants of different districts of the United States, have their origin—and nine-tenths of all the party stifes and bitterness that exist, because of the resolution of the free white laboring people to protect their own industry, and of the efforts of the slave-holders to reduce that industry to the grade of that of their slaves. **THIS IS THE TRUTH.** And but for the matters just stated, the idea that protecting laws—such as are established by every civilized nation under heaven, are *non-constitutional or inexpedient*, would no more be entertained—than any one suppose it *immoral* to kill a viper, that had coiled himself up and flattered his head, to destroy; and the thing which is called "free trade" would be entertained only by British agents and others deeply interested in British commerce, located in our principal cities—and these would soon retire by the force of public opinion, if not compelled to cease their operations by public justice.

From the Richmond Enquirer.

The two great subjects before the committees are those which relate to the colored population of the state, and to its *internal improvements*. Upon neither of these is the committee yet prepared to report.

It is probable, from what we hear, that the committee on the colored population will report some plan for getting rid of the free people of color—But is this all that can be done? Are we forever to suffer the greatest evil, which can scourge our land, not only to remain, but to increase in its dimensions? "We may shut our eyes and avert our faces, if we please," (writes an eloquent South Carolinian, on his return from the north a few weeks ago)—"but there it is, the dark and growing evil, at our doors; and meet the question we must, at no distant day. God only knows what it is the part of wise men to do on that momentous and appalling subject. Of this I am very sure, that the difference—nothing short of frightful—between all that exists on one side of the Potomac, and all on the other, is owing to that cause alone. The disease is deep-seated—it is at the heart's core—it is consuming, and has all along been consuming our veins, and I could laugh, if I could laugh on such a subject, at the ignorance and folly of the politician, who

ascribes that to an act of the government, which is the inevitable effect of the eternal laws of nature. What is to be done? Oh! my God—I don't know, but something must be done."

Yes—something must be done—and it is the part of no honest man to deny it—of no free press to affect to conceal it. When this dark population is growing upon us when every new census is but gathering its appalling numbers upon us; when within a period equal to that in which this federal constitution has been in existence, those numbers will increase to more than 2,000,000 within Virginia; when our sister states are closing their doors upon our blacks for sale, and when our whites are moving *westwardly in greater numbers than we like to hear of*—When this, the fairest land on all this continent, for soil and climate and situation combined, might become a sort of garden spot, if it were worked by the hands of white men alone, *can we, ought we*, to sit quietly down, fold our arms, and say to each other, "well, well; this thing will not come to the worst in our day. We will leave it to our children and our grand-children, and great-grand-children, to take care of themselves—and to brave the storm?" Is this to set like wise men? Heaven knows! we are no fanatics—We detect the madness which actuated the *Amis des Noirs*. But something ought to be done—Means sure, but gradual, systematic, but discreet, ought to be adopted, for reducing the mass of evil, which is pressing upon the south, and will still more press upon her, the longer it is put off. We ought not to shut our eyes, nor avert our faces. And though we speak almost without a hope, that the committee or that the legislature will do any thing, at the present session, to meet this question, yet we say now, in the utmost sincerity of our hearts, that our wisest men cannot give too much of their attention to this subject—nor can they give it too soon.

From the Richmond Whig.

The following project was submitted yesterday to the committee on free negroes, &c. for consideration, by Mr. Faulkner:

Resolved, That it is expedient, as early as possible, with their assent, to remove the free negroes and mulattoes, from this commonwealth.

Resolved, That the colony now established at Liberia, on the coast of Africa, presents the most desirable territory to which the said free negroes and mulattoes shall be transported.

Resolved, That this state will annually appropriate the sum of \$100,000 towards defraying the costs of the transportation of said free negroes and mulattoes to the coast of Africa; which sum shall be raised by a tax upon land, slaves, and other property now declared taxable by law.

Resolved, That it is expedient to constitute a board, which shall have authority to draw for such sums as may be necessary for the purposes aforesaid; whose duty it shall be to select from among such as may present themselves as candidates for emigration, under the limitations hereafter mentioned, and to do all other acts and things properly appertaining to such board.

Resolved, That for the purposes herein contemplated, the state of Virginia shall be laid off in sections, corresponding with the divisions established by the constitution of the commonwealth—that is to say —, and it shall be made the duty of the said board to make a fair and equal annual appropriation of the fund before mentioned, for the relief of the several divisions of the state, according to the number of free negroes and mulattoes in each.

Resolved, As an inducement to emigrate, each emigrant shall be provided, at the public expense, with agricultural and planting implements, clothing, and other necessary articles, not exceeding in value — dollars.

BALTIMORE AND OHIO RAIL ROAD.

In consequence of the decision of the court of appeals, the following proceedings took place:

January 5th, 1852.

At a special meeting of the board of directors, held this day, the president stated that he had received intelligence from the counsel of the company, that the court of appeals had reversed the decision of the chan-

cellor, in the case of the Baltimore and Ohio rail road company, against the Chesapeake and Ohio canal company by which the rail road company might be effectually excluded from the route that had been selected, and obliged to seek another site for the continuation of the road westward, beyond the Point of Rocks. Whereupon, the following resolutions were unanimously adopted.

Resolved, That, although the company should be excluded from the route, which had been selected for the construction of the rail road, on the north bank of the Potomac, in compliance with the condition annexed to the subscription of Maryland to the stock of the company, in 1827, yet the directors have an undiminished confidence in the practicability of constructing the road to the west, within the time originally contemplated, and with results not less beneficial to the state of Maryland, the union, and the city of Baltimore, than profitable to the stockholders; which confidence is founded upon the well-known character of the country, admitting of the construction of the road in Virginia, with all the advantages of close connection with the rich valley of that state,—upon the now confessed superiority of the rail road over all other known modes as a means of inter-communication, both with regard to time, economy and commercial advantages,—and upon the strong conviction which is rapidly gaining ground in the public mind, that this claim of superiority is placed beyond doubt by the experience of this country and of England.

Resolved, That the president be directed to take the most efficient measures to ascertain the best route to the Ohio river that may be still left open to this company; by causing examinations to be made by the chief engineer, with a view to this object, and that he report thereon at the earliest practicable date.

Resolved, That this board cannot too highly estimate the support that it has hitherto received from the stockholders, and holds itself pledged to omit no measures that may in any way conduce to the accomplishment of the great object in view,—an object, national in its every aspect; and which, when completed, must be of incalculable advantage to our country, and place Baltimore, in wealth and reputation, upon the vantage ground which her admirable situation entitles her to hold.

P. E. THOMAS, president
Baltimore and Ohio rail road co.

In reference to the decision of the court—judges Buchanan, Earl and Stephen concurring, and judges Dorsey and Archer dissenting, and judge Martin having requested that the case might be deferred, because that indisposition prevented him from attending—the editor of the "Baltimore Gazette," whose opinion on such matters is entitled to the highest respect, tells us that this decision, which reverses that of the chancellor, is not, in itself, final; and that the legislature of the state may order a re-hearing of the argument and trial before a full court—in which, should the judges be divided, the decree of the chancellor would stand confirmed. He says that the rail road company has not yet received "all the benefit of the constitutional tribunal to which they were and are entitled;" and that the proceeding suggested has been ordered by former legislatures, in many instances, &c.

We are not advised of the course that will be pursued—but in a matter so interesting to Baltimore, and important to multitudes of persons in Maryland and other states, even the far west,—we hope that the last legal appeal will be made, before the "right of way" is submitted to, under a claim that was practically "dead as a door nail" for very many years—and which, we cannot believe, will now render any public service, though calculated to produce much public injury.

FOREIGN MISCELLANIES.

The famous O. P. Q. correspondent of the London Morning Chronicle, has addressed one of his letters to King William IV—from which we extract the following paragraphs:

"Your majesty has mixed quite enough with the world, during the last thirty years, to know what the millions think of kings, and feel about kings; and how difficult it has been for kings, with all their power, and

influence, and wealth, and courtiers, and creatures about them, to keep their heads above water, during the last quarter of a century; and I am much disposed to believe that your majesty, as an honest British sailor, has very often been as disgusted with the absolute or dissolute conduct of kings, as any of your majesty's present subjects, or as your majesty's most humble correspondent, O. P. Q.

"And perhaps your majesty is also aware, that the example of the United States of America has been very dangerous to absolute monarchs and absolute governments; for those Atlantic republicans have shown us that men can eat, and drink, and sleep, and have children and homes, and firesides, and Christmas roast beef, and newspapers and trade, and commerce, and agriculture, and a navy, and an army, and great moral and intellectual, as well as political weight in the world, and can be religious and moral, and literary, and encourage the arts and sciences, and have pleasures and amusements, and the joys and delicacies of rational, and intellectual, and civilized society—and yet have no national debt, no king!! If any courtier from Canada, or any traveller from the back settlements of America, shall whisper in your majesty's ear, that in the United States the people are not so happy as I represent them, and that one day or another the Americans will have a king, or many kings, and that the republic will become a monarchy, treat such a man as your enemy, as one who would insult and deceive you, and do by him as your late accomplished brother did by a person named Hrumwell, ring the bell and order his carriage."

Because of apprehensions from the near approach of the cholera, the king of England issued his command to the archbishop of Canterbury to prepare forms of prayer suitable to the occasion—and the archbishop, assisted by the bench of bishops, adopted the following prayers, to be read in all the cathedrals, collegiate, and parochial churches and chapels throughout the kingdom.

"Most Gracious Father and God! who has promised forgiveness of sins to all that with hearty repentance and true faith turn to thee, look down, we beseech thee, from heaven, thy dwelling place, upon us, thy unworthy servants, who, under an awful apprehension of thy judgments, and a deep conviction of our sinfulness, prostrate ourselves before thee: We acknowledge it to be of thy goodness alone, that, whilst thou hast visited other nations with pestilences, thou hast so long spared us: Have pity, O Lord, have pity on the people, both here and abroad; withdraw thy heavy hand from those who are suffering under thy judgments, and turn away from us that grievous calamity, against which our only security is thy compassion. We confess, with shame and contrition, that in the pride and hardness of our hearts we have shown ourselves unthankful for thy mercies, and have followed our own inclinations instead of thy holy laws: Yet, O Merciful Father, suffer not thy destroying angel to lift up his hand against us, but keep us, as thou hast heretofore done, in health and safety; and grant, that being warned by the sufferings of others to repent of our sins, we may be preserved from all evil by thy mighty protection, and enjoy the continuance of thy mercy and grace, through the merits of our only Mediator and advocate, Jesus Christ. Amen."

"O, Almighty God! who by the many instances of mortality which encompass us on every side, dost call upon us seriously to consider the shortness of our time here upon earth, and remind us that in the midst of life we are in death, so teach us to number our days that we may apply our hearts unto wisdom. Give us grace to turn unto thee with timely repentance, and thus to obtain, through the merits of our Savior, that pardon to-day which to-morrow it may be too late to seek for; that so being strengthened by thy good Spirit against the terrors of death, and daily advancing in godliness, we may at all times be ready to give up our souls into thy hands, O Gracious Father, in the hope of a blessed immortality, through the mediation and for the merits of Jesus Christ our Lord. Amen."

[The people would much more heartily join in a form of prayer, that the hearts of the bishops might be softened towards the flocks that they should protect.]

We have mentioned that there was a great fright in England, because of some cases at Sunderland, thought to be the eastern cholera—but the alarm pretty soon subsided, and the people of that town maintained their usual health. More recent accounts, however, shew fresh alarms.

This fearful disease had nearly ceased at Cairo—but was terrifically while it lasted. It visited 2,962 towns in Hungary, in which there were 335,734 cases and 151,734 deaths. It had not been very general in Vienna—2,084 cases and 1,297 deaths were reported up to the 21st Oct. and 56 new cases on the 22nd. At Berlin, in a certain very thickly peopled part of the city, about 1 person in 18 was struck with the disease. At Hamburg only from 10 to 15 had died daily, and these were chiefly of the lowest class of the people, especially hard-drinkers—the fear of the disease had nearly subsided in this city. It was raging dreadfully at Haueca, in the East Indies, and it is said that—"At Mecca and the Hadjee country, 45,000 souls were carried off by the cholera, in about one month. The violent rains have produced great damage in Arabia. Half of Suez is washed away. The locusts covered the water for miles and miles so that it was literally the red sea."

The faculty of Germany have come to the unanimous conclusion that the disease is not contagious, after very close examinations of its progress—so also the whole body of the Polish physicians. They state that there were about a hundred physicians, French, English, and German, employed about the sick in Warsaw, not one of whom caught the cholera. Ten of them even inoculated themselves with the blood of cholera patients, without success. The porters, the nurses of the hospital, and the undertakers, were equally exempted from disease.

To this, is added the testimony of Mr. Scarle, who went to Warsaw and enquired in the hospitals there, during the epidemic—a gentleman who actually suffered in person from the cholera in India, and who wrote a treatise on the disease, before it visited this part of Europe. His words are these, dated in Warsaw:—"After all I have heard, either in India or Poland—after all I have read, seen, or thought upon the subject—I arrive at this conclusion,—that the disease is not contagious."

The following is a copy of a handbill published in England by sir Henry Hallford, president of the board of health, and extensively circulated—

Cholera morbus.—Advice to families for the prevention and cure of this dreadful malady, as extracted from the London Gazette, the 20th October, 1831.

"It is important to point out the instant measures which may safely and beneficially be employed where medical aid cannot immediately be procured. All means tending to restore the circulation and maintain the warmth of the body, should be had recourse to without delay. The patients should always immediately be put to bed wrapped up in hot blankets, and warmth should be sustained by other external applications, such as repeated frictions with flannels and camphorated spirits; poultices of mustard and linseed (equal parts) to the stomach particularly where pain and vomiting exists; similar poultices to the feet and legs, to restore their warmth. The returning heat of the body may be promoted by bags containing hot salt or bran applied to different parts of it. For the same purpose of restoring and sustaining the circulation, white wine with spice, hot brandy and water, *sal volatile* in a dose of a tea-spoonful in hot water, frequently repeated, or from five to twenty drops of some of the essential oils, as peppermint, cloves or eucalypt, in a wine glass of water, may be administered; with the same view, where the stomach will bear it, warm broth with spice may be employed. In very severe cases, or where medical aid is difficult to be obtained, from twenty to forty drops of laudanum may be given in any of the warm drinks previously recommended.

Signed,

HENRY HALFORD,
President of the board.

This treatment is within the means of every family; all that is required being that they should provide themselves with the following simple medicines.

Pint spirits of wine and camphor.

1 or 2 lbs. mustard and linseed powder.

2 oz. sal volatile.

1 oz. essential oil of peppermint, cloves or eucalypt.

All which may be procured for a few shillings.

It is seriously recommended, that every person should be prepared with the prescribed remedies, so that nobody shall have to attribute to his want of caution the spread of a malady so terrible and overwhelming.

It appears from a census lately taken, that the number of the inhabitants of Warsaw is now 115,943, not including the persons who arrive daily. The population has therefore been diminished in the course of this year by 25,000—namely, 15,000 males and 10,000 females. Among the present population are 23,214 Jews; in the third quarter of the city they are most numerous, and exceed the Christians. The number of females now exceeds the males by 7,423.

The Polish refugees who have been able to reach Paris have found an asylum, chiefly through the efforts of general Lafayette. They exhibit letters which reach them every post from the Prussian frontier, describing the cruel treatment of their unfortunate brethren by the Russian authorities. Those who, after the fall of Modlin, returned to seek their former homes and families, and who relied upon the amnesty of the Russian generalissimo, have been, according to these letters, treated with the utmost harshness when they sought the restoration of any portion of the spoliation perpetrated upon their property while in the occupation of the Russian soldiery. Indeed, generally, all who have not proscribed themselves before the conqueror, have been treated with disdain and contumely.

Address to the Poles by their countrymen in England and France.

Poles!—Confident in the enlightened spirit of the age, and in the sanctity of your cause, you rose to throw off the yoke of the oppressor. The world, in astonishment, has witnessed your achievements; but nations whom honor, duty, and even interest, commanded to assist you, have pusillanimously betrayed the common cause. Future ages will show how base was their conduct, how short sighted their policy. The contest is at an end: the sword of the Autocrat has triumphed. Europe, by her callous indifference to your misfortunes, participates in the unhallowed act. Poland is no more: erased from the list of nations, she is doomed anew to a long slavery.

Countrymen!—What can we expect from the conqueror? His rage and fury we have already defied, and if an unexpected effort of humanity should attempt to spare our sufferings, feelings of patriotism would be more deeply wounded than they have ever been by every cruelty and torture formerly devised to suppress them; for what, short of the independence of Poland, can satisfy men who have sworn to die for her freedom?

Poles!—You have hitherto done all that became a great and noble nation. You have spared no sacrifice to attain your great object; thousands of your brave brethren have already sealed with their blood their greatest compact with heaven to die for their country. But if the sword of the enemy has spared our lives, let us remember that we are bound to devote every hour that remains to us to emulate the heroes that have fallen, and whose honor and glory are our most sacred trust. No inducement of fortune, rank, or interest shall betray us into any act unworthy of our most solemn vows; these must be guarded as spotless as the name of Pole, which will henceforward be left to Europe as that of patriotism and devotion.

Poles! let us leave that wretched country, now no more our own, though soaked with the best blood of her defenders—let us leave Europe, a heartless spectator of our struggle and our despair. America is the only country worthy of affording an asylum to men who have sacrificed every thing for freedom; there Poland will be enshrined in our hearts, and heaven will perhaps bless our devotion.

Duke Constantine.—We have seen some attempt to retape the character of the late duke Constantine from

the charge of barbarity towards the Poles. A recent work of authority, however, states that his temper was truly ferocious. He was known to have ordered a soldier 500 lashes for having the seams of his gloves sewn inside instead of outside. A lady and gentleman having passed him one day in their carriage without recognizing him, were forced to labor on the public works, trundling a barrow along with convicts and dzertera. An officer of lancers was commanded to perform some manoeuvres of great difficulty, which his horse's want of training prevented him from executing. Constantine cursed both man and beast. He called for muskets, and had a pile of them with bayonets fixed, set upon the ground, of the width of twelve feet, and then ordered the lancer to leap over them. He succeeded in accomplishing the frightful task, only to be compelled to do it a second and a third time, to the astonishment of all present.

One of the generals then interfered, representing the exhaustion of the officer and animal. Constantine, in a rage, again commanded the leap to be made.—The noble animal cleared the bayonets with the fracture of two of his legs; the lancer escaped unhurt. He advanced to the duke, and thanking him for the honor he had hitherto enjoyed as an officer in the emperor's army, tendered his resignation. He was ordered to the guard house, and was never seen again, doubtless assassinated, as others had been before, by order of the grand duke. This was the rule, this the government which the heroic Poles attempted to overthrow; and which they would have succeeded in overthrowing, if the treachery of their late commander had not rendered their valor unavailing. To such oppression they are again doomed, since, in the memorable language of the French minister, "ordonne" again regna "in Warsaw."

[*Albany Daily Advertiser.*]

There are in France 58,888 Catholic clergymen, of various grades.

There were before the restoration, 1,533 religious asylums for females—or *maisons religieuses de femmes*; and, from that epoch to 1820, \$611 more were authorized—making a total of 2,144 capable of receiving legacies, donations, &c. Besides these more than 880 exist without any direct authority—making 3,024, containing 24,257 females. These have 5,500 pensioners or dependents, not forming a part of the communities.

Religious communities of men are not authorized, although many exist in different parts of France containing about 20,000—making the whole *personnel de clerge Catholique* in France, of 121,125.

[*U. S. Gazette.*]

Canton, May 13th, 1831.—The foreign society of Canton has been recently enlivened by the residence of a lady, who remained about a week, without interruption or annoyance of any kind; the authorities, who were well aware of the fact, remained satisfied with the assurance that she had only come upon a visit, and would remain but a few days.

It is with regret we announce that Woo-Yay, managing partner of Gow-quays, hong, expired on the 1st inst. in the prison to which he had been consigned, about five months before, on the pretext of traitorous intercourse with foreigners. When a man dies, either in prison, or in the house of an officer in whose charge he may have been placed, the custom of the Chinese forbids the corpse being taken out by the door, and a hole must for that purpose, be made in some part of the dwelling, unless a sufficient sum of money is paid, in which case, the body may be carried to the top of the house, and lowered down into the street. In the present instance, the exorbitant sum of seven thousand dollars was demanded for this honorable distinction; this the relatives declined paying, wisely maintaining that, since the body is dead, it can import but little in what direction it may be conveyed to the place of interment. It was in consequence, we are told, passed, after the ignominious fashion, through a hole made in the wall, highly mortifying, no doubt, to the disappointed expectations and cupidity of the merciless juror.

UNPROFITABLE EXERTIONS.

An Englishman named Osbaldestone, beited large sums of money that he would ride two hundred miles in ten successive hours—but without limitation as to the number of horses that he might use. The match took place late in November last, and, though the day was stormy and wet, he made new bets that he would perform the distance in less than nine hours—and accomplished it in eight hours and forty two minutes, without much seeming fatigue, and in high spirits, and it does not appear to have injured him at all. Mr. O. weighed 157 lbs. was 47 years old. He employed 29 horses, some of which he used several times. The distance performed on a horse was four miles, which, in some cases, he made in eight minutes—generally in about nine—the longest period was 10m. 15 sec. and allowing for the stoppages, it is estimated that he made on an average 25 miles an hour, when riding. He mounted and dismounted 100 times! He had trained himself for this undertaking—by traveling great distances daily at a rapid speed.

This exploit brings to the recollection of the London editors others of a like nature, as follows:

In Oct. 1741, at the Curragh meeting, in Ireland, Mr. Wilde rode 127 miles in six hours and 21 minutes, with 10 horses. The time stipulated was nine hours.

In 1745 Mr. C. Thornhill rode from Siltou to London and back again to Siltou, being 213 miles, in 11 hours and 34 minutes.

In 1762, Mr. Shaftoe rode 50 miles and a quarter in one hour and 49 minutes, with 10 horses, 5 of which were ridden twice.

In 1762, the same gentleman undertook to ride 100 miles a day for 29 days together, on any one horse each day, the number of horses not to exceed 29. He accomplished it on 14 horses, and on one day rode 160 miles, on account of the tripping of the first horse.

In 1758, Miss Pond rode 1,000 miles in 1,000 hours, at New Market.

In Dec. 1810, Mr. Milton, the horse dealer, who weighed 15 stone, rode from London to Stamford (starting from the corner of Dover-street) in four hours and 25 minutes, using 18 horses.

MR. BERRIEN.

A partial extract from a speech delivered by Mr. Berrien, at Milledgeville, had materially injured his character, in the opinion of a large portion of the American people—no matter of what political party they were—for it much reduced the high reputation which he had had for consistency and independence. Hence the following letter from him.

From the United States Telegraph.

Mr. Berrien—I will be seen, by a letter which we this day lay before our readers, that this gentleman repels, in a becoming spirit, the construction which has been given by the Globe, and the affiliated presses, to the speech which he delivered at Milledgeville. Knowing as we do that he considered the question between himself and General Jackson to involve the issue of truth or falsehood, we believe him to be incapable of the concession imputed to him. Upon this subject, the letter before us is explicit.

TO THE AMERICAN PUBLIC.

From the beginning of the present month, I have been confined to my room, and for the greater part of that time to my bed, by a bilious and inflammatory fever. I am still so, though my fever has intermitted. My physician had deemed it necessary to deny to me intercourse with my friends, and to keep from me visitors or might produce excitement. This system is at length relaxed, and letters from Washington, which were received to-day and yesterday, have announced to me the fact, that I have been, during my confinement, the object of a foul and biting calumny.

A certain degree of credence has been obtained for this calumny, by resorting to the despicable practice of giving extensive and early circulation to a mere extract from the speech delivered by me at Milledgeville—and by the suppression of that part of it, which would entirely have changed the character of the published extract. I have not the physical ability for a labored disputation, even if the occasion called for it; which I think it does not. I shall be brief; for my case is simply stated. I may have erred in my estimate of what is just, liberal and magnanimous in relation to a political adversary—but I am incapable of trucking to any man.

I pretended the illusion to the dissolution of the cabinet, by the declaration, certainly not complimentary to the president, that my retirement from the public service, was the result of a course dictated by my own sense of duty. In reference to this event, I used this language—"a just sense of self respect—of what is due to the cause of public morals—in your most sacred rights—to the sanctity of domestic life—and to those household affections, which constitute at once, the charm and safeguard of society, will forbid me to retract a step which I have taken—to alter a sentiment which I have avowed." I stood before that company by this declaration in the very act of renouncing every statement com-

tained in my two addresses to the public—re-establishing their positions—re-affirming their sentiments—and renewing the declaration of my determination to yield nothing in relation to either. Now, let any man ask himself, *what are the statements made, the sentiments expressed, the views exhibited by these addresses concerning the president of the United States.* Let him remember that I had just reassured them in their whole extent; and then let him make one further reflection. If it had been my object to conciliate the president, what could have tempted me thus deliberately to throw in his face these offensive addresses which so far from propitiating, must necessarily have exasperated him.

Having thus announced to my assembled fellow-citizens, that the relations which the event of the summer had created between the president and myself, were to remain unchanged; having established, as I supposed, an insuperable barrier between us, I thought I had placed myself in a position to disclaim for myself, any private complaints, or personal resentments, and to announce my determination to give continued support to those measures of his administration, in which I had heretofore concurred. I thought I could do this without the possibility of being liable to the imputation of having been influenced by any unworthy motive. In this I was deceived. I was right, however, and I fearlessly appeal to the public to review its decision. I am free to confess that the conviction is deeply humiliating—that any portion of the American people, even though originally misled by the garbled publication of my address, should have fallen into such an error. I do not speak to the mere partisan; but to those who have been free to read the original, and I say, that I was bound to Millidgeville, not seeking but declining office, that I resisted the repeated urgencies of much respected friends on this subject while there, and have continued, and shall continue to do so, under a sense of my duty to myself, and with a proper regard to what I owe to the state. I had, therefore, no motive for this meanness. I will add that, since my return to Georgia, and especially at Millidgeville, my chief regret has been, that I have been freely expressed, and that I have neither yielded, nor been required to yield, any thing on this subject. My political associates, who were assembled at Millidgeville, will sustain this statement of facts when it shall meet their eye.

I think I have wrested from this clumsy its power to deceive. It ascribes to me the consummate folly of seeking to conciliate, by mingling with faint praise, reiteration and serious condemnation. It imputes to me this folly, and any more, for I was not an adherer in quest of office, but a private individual, declining the proffered confidence of my fellow citizens. It imputes this to me at a time when I was in the free and unstrained expression of my views and feelings towards the president, in relation to whom I repeatedly declared I had nothing to conceal, and nothing to yield. There is moreover something in the force of truth itself, which will sustain the relation I now about to make; that if there be a humiliation, from which more than any other, my judgment and my feelings would revolt, it would be my attempt, by any act of mine, to deprecate the resentment or conciliate the favor of the president of the United States to me as an individual. I will add, that I should equally despise myself if my standing with the people of Georgia, whatever it may be, had been preserved by any concealment of my views, or suppression of my feelings, in relation to that personage.

JOHN McPHERSON BERRIEN.

Savannah, December 24, 1851.

MR. McLEAN.

Extract from judge McLean's charge on the late Mr. Monroe. When the circumstances which caused the judge to retire from the charge of the post-office department are recollected—the force of this extract will fully appear.

"In the use of patronage, that most delicate and important branch of executive power, Mr. Monroe was governed by those enlarged and elevated views, required by the interests of his country.—The utmost deference, in making appointments, was paid to public sentiment; whilst at the same time, irrefragable character and high qualification were indispensable requisites. Personal motives, either as they regarded the president himself, or the person appointed, were lost in higher considerations of public duty.

"From the official relation which I bore to the president, towards the close of his administration, it became my duty to consult him in making certain appointments. But in no instance did he intimate a preference for any one of the candidates whose names I laid before him. His answer was, uniformly, 'The law has given you the right to make the appointment; I shall be satisfied with your decision; do what the public interest requires.'

"In one case, I had every reason to believe, if personal consideration had been permitted to influence him, there were strong grounds for his exercise. One of the applicants was a particular friend, with whom, in early life, he had been long associated in the public service; and for whom he entertained a strong personal regard. A direct appeal to personal friendship was made, and this was enforced by the necessities of the applicant. But even in this case, this more than Roman patriot gave not the slightest intimation of a preference; and another individual was appointed, because I believed him to be better qualified to discharge the duties of the office.

"The relation of this incident will be pardoned, on the ground that such cases often tend more to elucidate character than more important transactions. When those selfish feelings, to which we are all more or less liable, come directly in contact with public duty, and they are disregarded, no higher evidence can be given of elevated and patriotic principles. I deem it of some importance to record such instances, as they may not be without their use in other days of the republic."

SAXON SHEEP.

From the Poughkeepsie Telegraph.

The following communication, with the accompanying ear, was handed us by the gentleman to whom it is addressed.—Whether it sufficiently explains the difficulties which our farmers have experienced with the Saxon sheep, we feel ourselves incompetent to judge. It is, however, a matter of curious speculation on that subject, and cannot but be interesting to those who are engaged in that business. That the Saxon sheep are less hardy than the merino, or, from some cause, do not stand the severity of our winters as well, seems to be conceded by our most intelligent farmers. Whether the cause suggested below sufficiently accounts for it, we leave to them to decide.

New York, December 1, 1851.

My dear sir—In performance of my promise, I send you enclosed a copy of a late trial contained in the Reports of Ryan & Moody, vol. 1, page 136, which contains matter, at least curious, in relation to sheep; and I think fully sustains the opinion I expressed, that the apparent inferiority of the Saxony to the merino or other kinds of sheep, might be attributable to accidental causes, rather than to any inferiority of that particular species.

It should be remembered, that when the merino sheep were first introduced into this country, an opinion prevailed some time afterwards, that they were not as hardy and as well calculated to endure our winters as our former sheep. The same opinion I believe prevails, and is generally entertained in regard to the Saxon sheep. It is said the lambs are tender, and more difficult to rear; and especially during the first winter. It is not my purpose to admit any of these objections against the Saxon sheep, but to express a doubt, whether a better cause will not be found for any alleged weakness or inferiority of Saxon lambs, in the known usage in most cases of "breeding in and in, or from relations," as expressed in the annexed case.

The supposed superiority for fine wool of the imported Saxon sheep, and the great cost of purchase, has in most cases induced farmers to continue to rear their flocks from the same stock, without regard to the degree of relationship. This is said to produce constitutional infirmities and weakness, which are sometimes indicated by the eyes and head—the English farmers call it "the goggles." An easy remedy is at hand. Those who have no other flocks with which they can exchange, may exchange with their neighboring farmers, and thus obviate this cause of any alleged degeneracy in the offspring. I am, dear sir, yours, &c.

JAMES TALLMADGE.

Nathaniel P. Tallmudge, esq.

1. Ryan & Moody's Reports, 136—summer cases—8 Geo. IV.—Western circuit, Winchester.

Coram Abbott, lord chief justice, (August 3, 1824.)

Jollif vs. Beudell.—Assumpsit on a warranty of a certain sheep sold by the defendant to the plaintiff. The first count stated the sheep to be warranted sound. The second "free from goggles."

The sheep, one hundred in number, were sold on the 14th of August, 1823. At the time of the sale they were in appearance perfectly sound and thriving, and continued so until the middle of October following, when one or two of them exhibited symptoms of a disease called by farmers the "goggles." The sheep affected, showed signs of giddiness, swelling of the eyes and hanging of the head. From the time they were first seized, they grew weaker and weaker, and for the most part died in about a week or ten days, and on dissection, there were signs of water in the head or brain. On the whole, about fifty of the sheep had died under the same appearances, the rest continued apparently well up to the time of the trial. There was no contagion; other sheep with which they were fed and kept having continued healthy. Several farmers and others conversant with sheep were called for the plaintiff, who stated the goggles to be, in their opinion, an hereditary disease, arising from breeding "in and in, or from relations;" and that sheep so diseased would thrive, and seem to be in sound health generally until two or three years old. That there were no means of discovering by the appearance or otherwise that sheep were so affected. That it was generally fatal, and no cure or prevention known for it, and reputed amongst farmers an unsoundness.

The evidence for the defendant went to show, that the sheep were of a pedigree free from "breeding in and in," and that others of the same sort and older were perfectly sound. The warranty was proved without dispute, and the sheep were all of the issue bred.

For the defendant it was contended, that the sheep having been healthy and thriving at the time of, and for two months after the sale, must be considered as sound at that time; that inasmuch as there were previous symptoms to connect the disease of which they died with their former state of health, there was nothing to show that the disease existed at the time of the sale; and that an hereditary liability to a particular disorder was of too uncertain a nature to be capable of proof, and could not be legally considered as an unsoundness existing at the time stipulated for in the warranty.

Abbott, lord chief justice, left it to the jury to say "whether, at the time of the sale, the sheep had existing in their blood or constitution the disease of which they afterwards died; or whether it had arisen from any subsequent cause."

Verdict for the plaintiff 130*l.* the value of the sheep which had died, the defendant agreeing to take back the remainder.

DECREASE OF DUTIES.

From the New York Courier and Enquirer.

We publish the following rates, which go into operation from the 1st inst. together with a statement of the probable effect that the same will have upon the revenue of the past and present years:

Decrease of duties on tea, coffee and salt, from and after the 1st January, 1832.

Tea—From China, in vessels of the United States—		
	Rate duty.	Present duty.
Bohea	per lb. 12 cts.	4 cts.
Souchong and other black	75	10
Campouy or Congou, (considered as Souchong),	25	10
Gumee, gunpowder or imperial	50	25
Hyson and young hyson	40	18
Hyson skin and other green	28	12

Tea—From any other place than China, or in vessels of or in any other than vessels of the United States—		
Bohea	14	6
Souchong and other black	36	18
Campouy or Congou, (considered as Souchong),	34	18
Gumee, gunpowder or imperial	68	37
Hyson and young hyson	46	27
Hyson skin and other green	38	20
Coffee	per lb. 2	1
Salt—per bushel, weighing	86 lb. 15	10

Exhibit of the decrease of revenue growing out of the lesser duties on coffee, cocoa, salt, and molasses, for the year 1831, and also on tea, coffee and salt, for 1832—the calculation predicated upon the net quantity imported in the fiscal year, commencing 1st October, 1829, and ending 30th September 1830, as per the official document of the secretary of the treasury.

Coffee—Amount of net duties, deducting exports entitled to drawback in the above year, (1830),

On same quantity for the following year at the reduced duties

Decrease of duty

Cocoa—As above

At the reduced duty

Decrease of duty

Salt—As above

At the reduced duty

Decrease of duty

Molasses—As above

At the reduced duty

Decrease of duty

Total decrease of duty in 1831

Decrease of revenue arising on the lesser duties on tea, coffee and salt, for the year 1832—predicated also upon the imports and exports of the above fiscal year, (1830),

Tea—Amount of net duty the above fiscal year,

At the reduced duty

Decrease of duty

Coffee—Duties as above, at the rate of 2 cts.

Duties in 1832

Decrease of duty

Salt—Duties as above, at the rate of 15 cts.

Duties in 1832, at 10 cts.

Decrease of duty

Total decrease in 1831

Total decrease in 1832

Total decrease 1831 and 1832

The preceding statement is made up from the official documents of the fiscal year, commencing 1st October, 1829, and ending 30th September, 1830. As the reduction of duties on all the articles embraced, for 1831, with the exception of molasses, did not commence until 1st January, 1831, it may be argued that the duties of the 1st quarter of the year, commencing 1st October, 1830, and ending 30th September, 1831, should have been calculated at the rates of duty then existing. This has not been done; because an ample effort to that amount of additional duty, and even equivalent to all the additional revenue that will grow out of a possible, yet doubtful, excess of importations, of the articles embraced in this statement, will be the return duty on tea, coffee and cocoa, put into the custom house stores under the bond of the importer, for the purpose of bringing the same under the lesser rates of duty, and which it is well known, (particularly of coffee), amounts to an enormous quantity. Indeed, although it does not appear upon the face of the official document for 1831, yet the revenue of that year will suffer a diminution from the above cause, which applies more immediately to, and which will seriously affect the revenue of, the present year. As we expected to reduce the revenue of the past year, is the fact that the exports of foreign products have increased, even in a greater ratio than the increase of imports; this circumstance, coupled with the opi-

nion existing with many experienced and reflecting merchants, that there was a redundancy of imports the past, which will call for a more limited operation the present year, and consequently defeat the very sanguine calculations that have been made as to the great increase of revenue.

FACTS FOR THE FIRE SIDE.

We commend the following article to the attentive perusal of all who believe that import duties operate as a tax upon the consumer.

From the New York Commercial.

We have been favored by Mr. Edwin Williams, with the following table, prepared for the next volume of his Annual Register. It is particularly interesting at this period.

Prices of coal, salt, coffee and molasses.

The following table exhibits the prices in the New York market on the 1st December in each year, except in 1810 and 1822, from which returns have not been obtained, since the last war, of Liverpool coal, Turks Island salt, West India coffee and molasses, (average price), with the duties payable on the same articles—

	Coal per chaldron.	Salt per bushel.	Coffee per lb.	Molasses per gallon.
Dec. 1.	price.	price.	price.	price.
1815	d.13	d.3	d.0	d.0
1816	14	1 30	60	21
1817	11	do	60	24
1818	11	do	60	24
1819	14	do	60	24
1820	—	do	60	29
1821	14	do	60	28
1822	—	do	60	23
1823	12 75	do	60	20
1824	15	2 16	60	17
1825	14	do	60	16
1826	10	do	60	15
1827	12	do	60	14 1-8
1828	13	do	58	13
1829	11	do	45	12 1-2
1830	8	do	55	12
1831	2	do	62 15	12 1-2

It will be seen, from this statement, that the prices of these important articles have not varied in proportion to the alteration of the tariff. In most cases, the effect produced has been in direct contradiction to the common theory that the prices are regulated by the duties payable on importation.

This coal in 1821, was 14 dollars, duty 1 dollar 80 cents—in 1820, 8 dollars, duty 2 dollars 10 cents. Salt, in 1829, was 45 cts. duty 20 cents in 1831, 62 cents, duty 15 cents. Coffee, in 1830, was 12 cents duty 9 cents—in 1831, 12 1-2 cents, duty 2 cents. Molasses, in 1829, was 25 cents, duty 10 cents—in 1831, 30 cents, duty 5 cents.

THE COAL TRADE.

Memorial to congress for a reduction of the duty on coal.

To the senate and house of representatives of the United States,

in congress assembled.

The memorial of the undersigned, citizens of N. York, respectfully represents; That

A large portion of the population of this metropolis is composed of persons in indigent circumstances. The class of individuals referred to comprises very many industrious and meritorious citizens. They derive their support principally from the produce of their daily labor and their necessities can only be supplied simultaneously with the receipt of their earnings. One of the great items in the domestic expenses of every class of citizens, in a climate often and severely inclement, is fuel. The wealthy, and those who enjoy the advantages of credit, are enabled to provide this indispensable comfort at seasons, and under circumstances, propitious for consulting their pecuniary interests. The unfortunate and destitute poor—the hard-working laborer, with his shivering family group, and the indigent female, whose industry can but little more than furnish food for her helpless children, are almost the exclusive customers of the fuel mart in winter. Weekly, but more often daily, purchases of this necessary article at exorbitant prices, go far to exhaust the scanty means which sustaining labor has produced.

The existence of above evils has been brought home, more directly, to the knowledge of the inquiring part of this community, during the last and present winter. The price of every kind of fuel is at this time enormously high. The aggregate quantity in market, and accessible to purchasers, is it is believed to be inadequate to meet the demand. The poor are wholly unsupplied. Year-memorialists believe that the population of nearly all the sea-board cities are similarly situated, in these respects with that of their own.

Until a few years, the principal sources of fuel for this community were wood, brought by water communication from forests and reserved wood lands, in the interior, and bituminous coal, imported from England and Scotland, and more recently from Nova Scotia. Within the last six or eight years, various descriptions of an artificial coal, the produce of native mines, have been introduced into general use; to such an extent, indeed, as greatly to diminish the quantity of other fuel consumed, notwithstanding the increase of population.

Depending upon a sufficient supply of domestic coal, at the rates corresponding with the experience of previous seasons, and believing confidently that the sources were inexhaustible, no exertions have been made to provide a substitute. Coal from the Schuylkill mines is nominally sold at sixteen dollars the ton; but all orders are refused even at that price. This coal was recently sold during the early part of the last winter at eight dollars the ton, and at which rate it was understood to yield a large profit to

the miners. All the other anthracite coals are held at prices believed to be equally high in proportion to their relative value. The high rate of duty on foreign coals has almost entirely excluded them from the chances of liberal competition. Liverpool coal, which has been usually sold at from nine to twelve dollars the chaldron, can now with difficulty be procured at sixteen to seventeen dollars.

In the present state of the fuel markets in this and the neighboring cities, much inconvenience is already experienced, and great and extreme distress anticipated. It is the belief of those competent to form opinions, undisturbedly, on this subject, that if the duty on foreign coals were repealed without delay, a supply sufficient for the present emergency would immediately be introduced from Nova Scotia; and that the importations of British coals would hereafter be proportioned to the wants of the inhabitants, without interfering with a successful development of native resources.

Your memorialists believe that it is not the policy of the government, at a period of unexampled national prosperity, to continue such restrictions on commerce as are essentially onerous to the people, and peculiarly oppressive to the poor.

The attention of your honorable bodies is most respectfully solicited to the subject of this memorial. If, in the opinion of congress such a measure would not prove injurious to other and more important public interests, your memorialists respectfully submit for consideration the policy of a total abolition of the duties on foreign bituminous coals or such a modification of that measure as may, in the opinion of congress, be deemed to be required by the exigencies of the case. And your memorialists, &c.

New York, December 3rd, 1831.

From the *Pottsville, Pa. paper.*

Statement of the quantity of foreign coal imported into and exported from the United States for each year, ending on the 31st of September, from the year 1820 to 1831 inclusive, both taken from the annual returns of the secretary of the treasury to congress; also the balance in bushels remaining for consumption reduced into tons of 28 bushels each—with the aggregate amount of Lehigh, Schuylkill and Lackawanna, (anthracite), coal mined and brought to market at tide water from the commencement of that business in the year 1820, taken from the statement compiled and presented to the friends of the friends of domestic industry, held in New York, in October last:

Years.	Bushels imported.	Bushels exported.	Bushels remaining for consumption.	Equal to tons of 28 bu. each	Anthracite tons of 28 bush. each	Total.
1820					395	365
1821	627,737	8,318	619,419	22,122	1,073	23,195
1822	976,828	4,167	966,661	34,523	3,440	38,963
1823	884,983	2,846	882,137	30,435	5,823	36,258
1824	764,918	2,416	762,502	27,236	9,411	36,767
1825	1,140,718	715	1,140,003	40,715	33,393	74,108
1826	707,051	1,050	706,001	34,005	48,457	82,462
1827	1,137,368	180	1,137,188	40,237	61,561	101,798
1828	906,200	1,743	904,457	31,204	77,268	108,472
1829	1,274,790	4,778	1,269,912	45,293	119,083	164,376
1830	1,640,993	12,480	1,628,513	58,136	174,925	233,061

For 1831, up to the 23d October, 140,948 tons of anthracite had been brought to tide water. In consequence of the stoppage of canal navigation by ice a month earlier than usual, it will probably not exceed 160,000 tons.

From the *New York Commercial Advertiser.*

Fuel.—I observe in your paper of Saturday last some observations on the subject of the present scarcity of fuel. Some communications on the same subject have also appeared in "the Enquirer," in which was suggested the propriety of taking off the present duty on coal. More importance has been given to this than from the fact of a resolution having been brought before the board of aldermen to take into consideration the propriety of applying to congress for a repeal of the duty. To those acquainted with the domestic coal trade the present scarcity is no difficult problem. It has not arisen from any new competition in the market, but from the fact of an over competition in an irregular market! In 1830, the three great sources, Schuylkill, Lehigh and Lackawanna poured a quantity into the market nearly double of that of 1829, while the increased consumption demanded an addition of not more than 50 per cent. The consequence of which was that nearly 80,000 tons remained over and unsold. The natural consequence of this was a glut of the market, and the early spring sale commenced in Philadelphia at 4 dollars and 50 cents per ton, but even this price could not be maintained, and contracts were offered for any quantity to be supplied at 4 dolls. But there were no purchasers even at this price, and it is a melancholy fact that the trade became so much depressed that at a forced sale of a few hundred tons of the best quality of Schuylkill in Philadelphia, it was standing at a man's price at the ruinous price of 3 dollars and 50 cents per ton. With these facts staring them in the face, what were the persons engaged in mining to do? It was madness to mine coal in Schuylkill county when no purchasers were near them for contracts. To send it to Philadelphia, cost in toll freight at the lowest calculation 3 dollars and 80 cents per ton, and when arrived, an additional daily expense accrued of wharfage, for there were found no purchasers. The natural consequence of this was the entire cessation of mining for nearly three of the best months adapted to getting down the coal. A sudden panic seemed to have taken

the centre of the coal region and utter ruin stared the miner in the face. The population was scattered, and capital withdrawn as fast as possible, every one anticipating the most unfortunate results. If we could see a little into futurity, we would have discovered, that, instead of withdrawing capital and labor in the spring months, that time would have been the most fortunate one to have added at least 50 per cent. of both to it. Towards the last of the summer orders came in from most of the eastern cities for large quantities. These could not be executed in full, three months of the season had passed without any trade, and the utmost exertion could not bring down of the Schuylkill more than 80,000 tons, (10,000 less than in 1830) while the demand had in reality nearly doubled. The same quality of coal which then sold for 17 dollars per ton in New York, was offered in May last, on a contract, at Philadelphia, for any amount not exceeding 50,000 tons, at 4 dollars! Under all these circumstances, then, are we in want of a competition from England? Certainly not. Coal can be delivered, of the best quality, from Schuylkill county, at the wharves of Philadelphia, for a cost of 3 dollars. Some years may, however, elapse before the price will nearly reach that, but it will not take at least two years before the supply can overtake the demand, such is the increased rate of consumption, far surpassing the calculations of the most sanguine. It has been asked why examinations have not been made in our own state for this useful fuel? It is in view to anticipate so favorable a result as we could wish, even by an extensive exploration. The eastern termination of that formation of anthracite, to which so great a supply of coal can be obtained, has not been ascertained, and is not far from the course of that stream, above Mauch Chunk. The veins opened by the Beaver Meadow company are, in extent and quality, superior to any other known.

In the neighborhood of this company's land, there lies a considerable body of equally good land, which it is said may be bought yet at a comparatively low price. This is the nearest point to New York from which coal can be obtained, and the only one, and the only one, that is a navigation the whole distance except 6 or 8 miles—thus by the Morris canal to Easton from Newark, is 90 miles; from Mauch Chunk, 47 miles—this would leave a rail-way to be made of, say not more than 10 miles, and we shall then be in perhaps the finest coal basin in the world. Let a few enterprising capitalists, or one or two companies of 100 or 200,000 dollars capital, engage in the business, buy the land which the coal lies at, and at a comparatively small cost, we have the best of fuel at the lowest price. There is no point to which the citizens of New York can look with as much certainty for an inexhaustible supply of anthracite, as to the northern and eastern declivity of the Blue mountain—that from the southern and western declivity must go to Philadelphia only, and in that market it commands the highest price, and cannot fail from its superior quality, to maintain that preference. There is no reason why coal brought from this point, should not be placed at the wharves of New York, at a cost not exceeding that of Philadelphia, by more than 25 cents per ton. It ought to be delivered in New York with a fair profit, at 3 dollars and 50 cents per ton. A SUBSCRIBER.

The *Miners' Journal* discusses all consumers of coal to be admonished by the present difficulty of procuring fuel, and to try in their stocks for winter consumption in due season. A very excellent piece of advice—for all who have the means. It informs us also that contracts are now in progress by the coal dealers in this city, for next season's supplies. It is stated in the same print that the corporation of New York were offered 1,000 tons of coal for the use of the poor, at 4 dollars and 50 cents per ton. We believe, by means of a steam row boat, and the corporation, by their act of refusal, deserve the censure of every friend of suffering humanity. Every man who voted against the measure should forthwith contribute out of his own pocket, his share of the 5,000 dollars thus lost to the city. [N. Y. paper.]

BALTIMORE CITY COUNCILS.

The annual address of the mayor, William Stewart, esq., presents a very interesting account of the condition of the city—the details, however, are not important, except to its inhabitants. The total of the city debt, December, 31, 1831, was \$51,937 88. This includes the subscriptions to the rail road stocks which amount to 285,000 dollars.

The following paragraphs have some general interest—

"The experience that we have obtained in laying the stone rails through our streets, must satisfy every mind, that a comparatively small appropriation, would have enabled the city commissioners to reset the curb stones, and repair those parts of the streets which were left by the rail road company untouched, but requiring repair. I would therefore recommend an appropriation for such cases, sufficient to enable the city commissioners to make a thorough repair of such streets, as the rail roads may be carried through hereafter."

"The enterprise in which many of our citizens are engaged, in regard to keeping our navigation open during the severest winter, by means of a steam row boat, merits, and I am sure it will receive every encouragement from your hands. There would in such an event seem to be nothing wanting to give us even in the severest weather of winter, all the advantages contemplated by our rail roads, and in this particular, even more than was originally contemplated in behalf of the city. If required, you surely will patronize the undertaking, as it will be a public benefit to our city, to keep the navigation open to the sea throughout the year."

"The vigilance of our fire companies continues unabated, and their usefulness must be acknowledged by all, yet there are some irregularities among them, which should be corrected. I allude particularly to the practice of running part of their apparatus

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 21—VOL. V. BALTIMORE, JAN. 21, 1832. [VOL. XLI. WHOLE No. 1,061

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

SP We had intended, this week, to continue the debate in the house of representatives on a reference of the memorial of the bank of the United States—that the views of the several gentlemen might be the better presented to their constituents, and preserved—but, perhaps, the general scope of the discussion has already been sufficiently shown; and the great length to which any thing like a full view of the remainder of the debate would extend, utterly forbids its present insertion in our pages. We must, in some degree, keep pace with the current of events. The speech of Mr. Clay, because of the absorbing interest of its subject, demanded a place—and Mr. Hayne's reply shall be also inserted, though its greater length will subject us to considerable inconvenience, just now.

In the other house, Mr. Cambreleng threatens the infliction of another series of high pressure statements. There are some who learn nothing from experience—who disregard the most complete refutations of their propositions, and are insensible even to unpleasant exposures of flagrant mistakes. And, whatever Mr. Cambreleng, or Mr. Any-body-else, may assert, in the way of speculation, we stand prepared to prove—that the practical duty imposed on wroollen goods, and actually paid—does not average 45 per centum on the real cost of such goods, in foreign countries: and are well informed, that our one dollar minimum is the standing toast in *Yorkshire*, where cloths and OATHS are chiefly manufactured and prepared for the American market.

SUPREME COURT. We omitted to mention in our last, that the supreme court of the United States is now in session—the venerable chief justice Marshall, with judges Duval, Thompson, Story, McLean and Baldwin, attending.

THE PRESIDENT. The "Globe" of the 14th inst. informs that the president had a ball extracted from his arm, which has oftentimes caused him much pain, and threatened a mortification. The operation was performed by Dr. Harris, of Philadelphia. He received this ball in the rencounter with the Bentons, at Nashville.

"THE CABINET." It is announced that all the new nominations to the "cabinet proper," have been confirmed by the senate. That of Mr. Van Buren, as minister to Great Britain, is suspended; and, as it appears, accidentally by the casting vote of the vice president. The debates in the secret sessions concerning him, are understood to have been able and pointed, and the idea that his instructions to Mr. McLane will become a subject of public discussion—as they ought to be, gathers strength. If they shall be—it would repay the labor of travelling five hundred miles to hear some of the speeches that may be expected on a subject so well fitted for severest reprehension. Our local differences must never be pined, to obtain favours of foreigners.

PENNSYLVANIA. The 8th of January happening on Sunday, a convention was held at Harrisburg on the 9th. George D. Foulke, of Cumberland, president, George Weiser, of Northumberland, and John S. Yeocum, of Delaware, vice presidents, and John Morgan, of Chester, and Thomas W. Lloyd, of Lycoming, secretaries.

Among other proceedings, they nominated John Andrew Shulze for the office of governor,—a "Jackson electoral ticket" for the state, and appointed delegates to attend the national convention which is to be held at Baltimore to nominate a vice president of the United States. They also appointed a committee of correspondence, &c.

The convention also supped together to celebrate the anniversary of the battle of New Orleans. The following, XLI.—No. 27.

ing toasts may shew the bearing and the spirit of the members—

The governor of Pennsylvania:—Elected, not elevated, by fraud and corruption; he may read his fate in the unequivocal expression of public opinion.

The late and the present national cabinet: The one, distracted by the intrigues of faction; the other, united by a harmonious and patriotic desire to promote the public weal: The discrimination of president Jackson was never more worthily exercised,—6 cheers.

By the president, Dr. George D. Foulke. President Jackson: His true friends will support the convention of the eighth; his professed friends will denounce its members and advocates.

By George Washington Barton. Martin Van Buren: Threatened with the proscription of the senate, but shielded by the affection of the people, he may well

"Smile on the drawn dagger,

And defy its point!!

By R. R. Hottel. The governor of Pennsylvania: A Wolf by name and in principle.

By John Johnson. John H. Estlin, an honest and patriotic man, his persecutors have failed in their efforts to injure him in the estimation of the American people.

By Samuel Wyant. Samuel D. Ingham, late secretary of the treasury: wonder how he relishes a hickory briem.

The "Jackson and Wolf" papers,—(who are anti-Jackson-Van-Buren—"democrats") make out this convention to have been a very small affair—one account says that only 34 persons were present as delegates, though some were made on the spot, and ten were attending from Philadelphia county, only. Several of the persons nominated have already retired from the honor conferred, &c. The "Jackson and Wolf" men are to hold a convention on the 4th of March, and it is plainly intimated that all which the Jackson-Van-Buren-democrats have done, will be resisted.

THE SUSQUEHANNAH. As there is a prospect that a bill to incorporate a company to make a rail road from a certain point on this river to the Maryland line, may pass the legislature of Pennsylvania—a meeting has been held at Philadelphia to remonstrate against it, and it is said that "Baltimore desires to make a rail road that will intersect the canals and rail roads of Pennsylvania, and divert the trade from Philadelphia, who pay the taxes."

But the southern enemies of Pennsylvania are as much interested in this matter as Baltimore, and the citizens thereof quite as zealous for the passage of the bill. If it shall not pass—we propose that a meeting be held in Baltimore to take into consideration the propriety of closing the navigation of *Buck Creek*—by which, and the Chesapeake and Delaware canal, the trade of our river, the Susquehanna, is diverted from Baltimoreans "who pay the taxes" of the state in greater proportion than the Philadelphians do those of Pennsylvania!!! I call the Susquehanna "our river"—because that we have undoubted jurisdiction over it, (as a sovereign state!) where it reaches the tide, and *Buck Creek* surely as much belongs to us as any part of York county, through which we wish to pass, belongs to Pennsylvania. "The rule must work both ways."

THE RAIL ROAD. The Gazette of the 13th inst. had the following pleasing paragraph:

It will be gratifying to the friends of the Baltimore and Ohio rail road, and more especially to the stockholders of the company, to learn, that the receipts for travelling and transportation have been continually and rapidly increasing, since the opening of the communication with Frederick—the average of the daily receipts now exceeds three hundred and fifty dollars, although

only about twenty-two burthen cars pass daily in each direction—additions to the number are making every week, and we are assured that, by Monday week, forty cars for the transportation of produce, merchandise and other articles, will be regularly passing every day in each direction between Baltimore and Frederick.

The *Frederick Herald* of the 14th says, that within eleven days, 5,297 bbls. of flour, with a large amount of miscellaneous articles, which it mentions, had left the depot in that city, on the rail road. The saving on the cost of every barrel of flour sent to Baltimore is 50 cents—so that, in three 11 days, there was a clear gain of 2,000 dollars to the farmers, on flour alone. The editor suggests that 2,000 barrels of flour, in addition, would have been forwarded, if cars could have been procured; but of these there will be no deficiency hereafter, many new ones having just been put upon the road, for the transportation of passengers and goods.

BALTIMORE. A passage being cut through the ice, for upwards of six miles, more than one hundred sail of inward and outward bound vessels passed each other on Sunday evening and Monday morning, and there is now a pretty easy access to most of our wharves. Great activity in business has followed, and we have had several days that would be *seasonable* in April.

THE SLAVE QUESTION. The tongue and the press in Virginia, which had been as it were scaled against a discussion of the slave-question, have been relieved, and the whole matter concerning slavery is now fully before the people and the legislature of this state. This is one of the wonders of the times—and we hope that good will result from it. That which cannot be avoided, should be resolutely met.

"A STONE!" At the citizens' celebration of the 8th January, at Harrisburg, the following toast was given by gov. Wolf—in allusion, doubtless, to the tariff and bank questions:

"Our delegation in congress—A crisis is approaching when Pennsylvania will expect every man to do his duty."

TRENDENOUS! Mr. John S. Ingram has lately become one of the editors of the "Union Times," published at New Berlin, Pennsylvania, at the head of which is placed the name of "Andrew Jackson," the "democratic republican candidate for presidential election in 1832." Mr. Ingram lately published the "*Anti Masonic Star*," at Gettysburg, and assigns the following, among other reasons, why he has hoisted down the anti-masonic flag—with which we have no part, except in shewing another "sign of the times." We give the italics and capitals, just as he himself presented them.

"Consistency is a jewel!"—a precious ornament to any man or any party. A derogation from it, evinces a want of merit, and fully identifies a depravity and rottenness either in the cause or its advocates. If Anti-masonry needed no aid but her honest arguments and the uprightness of her cause, to gain the support of a Republican people: If Anti-masonry was supported by men whose primary object was the extermination of Freemasonry; If they were determined to make Masons seek shelter under the banner of "*the Holy cause of Anti-masonry*"—why did they not adhere to their original and all-god determination to "*oppose every out-bound member of the Fraternity?*" Why did the Baltimore Convention nominate as their candidate for President the **FREE MASON, WILLIAM WIRT?** "Oh! shame—where is thy blush?" *A United States ANTI-MASONIC Convention nominating an OPEN and AVOWED MASON to the highest and most important office in the gift of the people!* Yes, this same WM. WIRT, who is now before the public as the *Anti-masonic* candidate for President, is a *rak and ulthering MASON!* Shall we take this as a sample of the honesty and consistency of Anti-masonry? These are the acts of her cunning and "uncompromising" leaders. Do such men merit applause for honesty of intention or stability of purpose? Or do not such scandalous proceedings merit the *anathemas* of every upright man in the community! This "*royal arch*" trickery—this "*passed degree*" of m-

trigue and corruption, has no equal on the records of our political history; and makes the stain upon the reputation of Henry Clay appear but as a "*fee-bite*" to their enormous "*wonder-working*."

Sinister motives produced the nomination of Amos Ellmaker; and with the misquotation of his reputation, it may be as well to let him rejoice in his well known character of a *broken down politician*.

WEST INDIA TRADE. By statements recently published, it appears, that among the arrivals at New York and Boston, during the year ending 31st ult.—there were of

British vessels	366
And during the preceding year	110
Increase	256

It is presumed that there has been an increase also, in a similar proportion, of British vessels, at Philadelphia, Baltimore, Norfolk, Charleston and Savannah.

There has been a decrease in the number of arrivals of American vessels, in the two ports above mentioned, for the same period, of 57.

The entries of the British vessels have been principally from the British colonies of New Brunswick, Nova Scotia, (a few from Newfoundland), and the British West India islands.

The conclusion we draw from these facts is, that whatever other advantages the country may derive from what is usually termed the "*West India arrangement*," the navigation interest has been seriously injured.

[N. Y. Price Current.

{Such was the result which every practical man expected, from the famous arrangement made by Mr. McLane; the facts belonging to which will soon be exhibited in such a manner that he who runs may understand them.]

"THE SUNDAY QUESTION" has been decided at New Orleans says the "Free Press" of that city, of Monday the 21st inst.—and proceeds to inform us that the *American* theatre was "*thronged again last night*"—Sunday evening. The *French* theatre has always been kept open on that evening. This question appears to have excited a great deal of interest in New Orleans.

THE CHOLERA is certainly in England, and appears to be extending itself from Southampton. There is every reason to believe that this scourge will visit us also. Being superadded to the other present ills of England, it has rendered the state of things exceedingly distressing in that country.

ECONOMY. Give seven dollars to pay three; or, sell the stock in the bank of the United States to pay off the three per cent. stock.

COAL. We see an interesting synopsis of the several seams of coal in the New Castle district, England. The thickest of the seams does not exceed six feet six inches, and the average is not more than three feet. A few of the mines are at the depth of about 20 fathoms (120 feet), from the surface—but the majority will average 100 fathoms, and one mine is worked at the depth of 185 fathoms, or 1,110 feet—several at from 700 feet to 900.

The coal mines of Pennsylvania, as well anthracite in the eastern or bituminous in the western part of the state, very generally lie near the surface, and their thickness is from six to twenty-five feet above the water level. Only one mine, and that by way of experiment, has been worked below that level, and the result proved satisfactory. It is stated that, at the mouth of the pits in Schuylkill county, coal may be had for one dollar per ton. This seems cheap enough. The only thing then that appears necessary, is to reduce the cost of transportation; and that this will soon be accomplished in its full extent, cannot be doubted. If anthracite coal could be landed at 5 dollars per ton, it would be the cheapest fuel that can be used, even in Baltimore, or about the same as oak wood at 3 dollars a cord. That it will be *permanently* sold for less than that price at Philadelphia, must be expected. The bituminous coal,

which abounds on the waters of the Potomac, Ohio, &c. is yet much cheaper at the mouth of the pits than the anthracite. The quantity of either may be called inexhaustible. Baltimore will be plentifully supplied with both—by the rail road proceeding to Cumberland, and the Susquehanna river, or rail road—if permitted to extend the latter into Pennsylvania.

COARSE WOOL. The New Hampshire Statesman contains an excellent article adverse to any reduction of the duty on coarse wool, and will, no doubt, receive the attention of those who may be soon called to act upon the subject. The system must be preserved. The duty on such wool was forced into the bill of 1828 to destroy it—but, if the practical operation of the law has rendered good out of an intended evil, it is well. And time enough, perhaps, has not yet elapsed to ascertain the practical effects of the duty on coarse wool.

VIRGINIA. We have had on our desk, for several weeks, an account of the proceedings of a convention of delegates from various counties of the western district of Virginia, which met at Lewisburg on the 31st October last, and of which Charles A. Stewart, esq. was president, and John A. North, secretary. Alleghany, Augusta, Cabell, Fayette, Greenbrier, Logan, Mason, and Monroe counties were represented at this meeting—the object of which was to consider what measures should be adopted “in relation to the opening of a line of commercial intercourse between the Ohio river and the Chesapeake bay, through the central sections of the state.”

The proceedings make a pamphlet of 36 pages—and chiefly consist of a memorial to the legislature, and an address to the people of the state, both which are able and spirited papers. The advance of other states in population and improvement, and the effects of the *stand-still* policy of Virginia, are well set forth; and the legislature, and the people earnestly exerted to action. Various important suggestions are presented for consideration, and the golden harvests which must follow their execution, clearly pointed out. We cannot go into details. They contrast the state of things between the north and south of *Mason and Dixon's line*, (which is the southern line of Pennsylvania extended westward)—with respect to population and wealth, commerce and navigation, &c. and do it with a strong hand—and describe the present and ultimate effects that have followed or must succeed the *let-us-alone* system. We most heartily wish that these things may excite a new spirit in Virginia to do something worthy of her resources and great national advantages; but fear that the *herd of politicians* is too strong to permit the wholesome, if not vital, operations of *practical minds and working men*.

GERARD'S BANK. The closing of this bank has caused the projection of several others, and brought out much management on the part of certain speculators in Philadelphia, always on the alert to make profits on their money or credit. To check such management, it is proposed, by another party, to incorporate a new bank, with the provision that the *privilege of subscribing* to certain numbers of shares of its stock, shall be sold at public auction, to the highest bidders, and that the premium shall pass, at once, into the treasury of the state.

RIVER NAVIGATION. In the house of delegates of the state of Maryland, on the 7th inst.—Mr. Tenckle, submitted the following preamble and resolutions.

Whereas, the entrances of the rivers Nanticoke, Mankin, Annapamas, Pocomoke and Wicomico, in the collection districts of Snowhill and Vienna, common to the navigation and commerce of more than one thousand registered and licensed vessels, and affording a nursery of warren of incalculable value, are difficult of access by reason of narrow or meandering channels through expanded flats or shallows, in consequence whereof the owners of vessels, properly belonging to those rivers, although few in comparison to the number who resort or trade therein, have long been, and now are subject to an annual tax for staking out and designating the said channels; and considering that the regulation of commerce has been wholly ceded to the general government, and that the individual states, in their sovereign character,

are entirely divested of all its resulting revenues; and considering further, the numerous sailors and watermen employed in the navigation of the said rivers, are subject in a monthly imprisonment, under the denomination of the hospital money, without an equivalent benefit, as very few of those sailors and watermen are ever admitted into the marine hospital. Therefore,

Resolved, That the senators and representatives of this state, in the congress of the United States, be instructed to use their exertions to procure appropriations, and provide that the channels of the said rivers be marked out, and made easy of ingress and egress, by the establishment and support of proper buoys, at the charge and expense of the United States.

Further resolved, That his excellency, the governor, be requested to communicate a copy of the foregoing preamble and resolutions to each of the senators and representatives of this state, in the congress of the United States.

BRITISH MONEY-MARKET. A letter from a respectable American gentleman dated London, Nov. 22, published in the New York Mercantile Advertiser, says—“Some few months since the bank of England, or its directors, perceived that specie was much wanted on the continent, to pay the armies, and the exportation at length became so great as to compel the board of directors to curtail their circulation £12,000,000. The rate of interest with the bill brokers rose from 2½ to 4½ per cent.; since which the tide has changed, the exchange has turned in favor of England. The war has ceased, and money for the armies is no longer wanted.

A general peace on the continent is now considered certain.—The exportation of specie has pretty much stopped, and Spanish dollars are in fact a drug, even 4s. 10d. cannot be realized; the importations by the last arrivals from New York, although landed, are unsold, and no offer is yet made for them. Rothschild, who has always been the most prominent man in the market, declines buying. From all these circumstances, many weeks before the winter expires with you, the money market will be perfectly easy, and confidence, as usual, with the moneyed institutions, be restored to a wholesome footing.

BRITISH AFFAIRS. A piece was recently performed at one of the London theatres, in which these lines occur:

“Take back the foul reproach, unmanner'd railer,
Nor urge my rage too far, lest thou shouldst find
I have as daring spirits in my blood
As thou or any of thy race e'er boasted;
And though no gaudy titles grace my birth,
Yet Heaven that made me honest, made me more
Than ever king did, when he made a lord.”

According to the London Courier, when the three last lines were repeated, the shouts of the audience were almost deafening, nor were these demonstrations confined to the galleries. The acting was equally strong in the pit and boxes.

The lawyers of Kilkenny, Ireland, have refused to undertake the recovery of tithes for the clergy.

It is stated in the Cork Reporter, that in three parishes of that city there have been found no less than 26,000 paupers, and the whole city is supposed to present an aggregate of 60,000, without the means of providing for themselves.

In the present state of the representation in parliament—34 persons, chiefly peers, send 155 members, 48 persons send 96, and 89 persons 89 more—total 340 representatives of the commons of England appointed by 171 persons! This is “humbug No. 1.” One of the lords makes as many as eleven members; several of these fellows send six or more. They own the boroughs—and so own the rights of the people!

The house of lords is made up of 25 dukes (4 of them “royal”), 26 marquesses, 129 earls, 25 viscounts, 143 barons, 16 Scotch and 28 Irish peers, 30 archbishops and bishops.

The following extract from a vehement speech of lord Winchelsea against the reform bill, is ironically referred to by the London Times, “as a specimen of calm, rational, and sober reasoning, on this important

question of national reform." The duchess of Kent is the lady referred to:—

"An illustrious lady had been held up to the country as using unconstitutional means to impede the progress of this measure. Would to God, he knew the foul slanderer of that illustrious female: would to God, he could discover the anonymous calumniator. If he could discover him, either that vile wretch or the humble individual who then addressed their lordships, *should not survive another night, to utter, publish, or repeat another slander.* Willingly as he should raise his arm to repel the invader of his country—willing as he should raise it in defence of his country's rights and liberties,—so willingly should he lift it against the cowardly calumniator, who could attack an innocent and illustrious lady, whose conduct in this country had been marked by the practice of every virtue, and who showed in her life an example well worthy of imitation, an example of those virtues on which a nation's happiness might so much depend."

The following is from a late English paper.

On Saturday night some urchins paraded the effigy of a bishop about the streets of Canterbury. Little interruption took place until the approach of the figure towards Burgate, when another effigy representing his satanic majesty, seized the bishop, and a terrible scuffle ensued, which ended in the former being declared the victor. The authorities caused the image to be seized, the parties resigning it without opposition.

B. CONSTANT. The following paragraphs extracted from the writings of M. Constant, are pointed and powerful:

"The Spartans complained of their helots: the Roman patricians of the plebeians: the feudal lords of their serfs: the colonists complain now of their slaves. I have seen in the General History of Voyages, compiled by La Harpe, the following passage:—'The sea-wolf is an animal of such ferocity, that it always defends itself when attacked.'

"There are in the world two principles, force and reason. They stand in an inverse proportion to each other. When reason advances, force must give way, for reason cannot recede. When force resists, disastrous struggles follow. This is not the fault of reason, but of force. It would be contrary to the nature of reason not to advance, or to return to that which it has discovered to be unreasonable; but it is not contrary to the nature of force to be convinced; it always will be so ultimately, however it may resist for the time. At first the partisans of reason are called seditious, but it is afterwards discovered that its enemies are the rebels."

THE POLES. At a meeting of the Americans in Paris on the 22nd October, J. F. Cooper, esq. in the chair, a letter was read from gen. Lafayette, asking advice and assistance in the disposition of the money which had been remitted to him from New York, &c. for the relief of the Poles and a committee of twenty, of which Dr. Howe was made the chairman, was appointed to act in this matter, under the revision and approval of gen. Lafayette. This committee has addressed a circular to the citizens of the United States, contributors in favor of the Poles, informing them that the funds will be distributed for the present relief of the "barefoot and hungry" Poles who have already arrived at Paris, or are begging their way thither. Their number is not stated—but they have formed a national re-union, and "Leonard Chodzko, member of the Polish committee," will give a list of their names, and of such as may hereafter arrive, to the American committee.

UPPER CANADA. Mr. Mackenzie, who, after being expelled from the house of assembly of Upper Canada, was re-elected, (only one vote in York being polled against him) has been again declared unworthy to hold a seat in that house, by a vote of 37 to 19, passed on the 7th inst. The new offence of Mr. M. was the publication of "articles of impeachment or public accusations against the lieutenant governor of the province, and the advisers of the crown," in which he charges the house

of assembly with sycophancy; and also a publication in his paper, the Colonial Advocate, in which he stigmatised the thirty members who voted for his first expulsion, as "tyrants!"

LACE WORK. An establishment called the Rhode Island lace school has commenced at Newport. Notwithstanding its recent origin, no less than seven hundred females are actively employed by its proprietors. The style of lace work is said to be the most ingenious of its kind, and of that particular description with which the English dealers in lace have had to supply themselves in France, in consequence of the superior excellence of execution of their Gallic competitors. Several Englishmen are now settled in France, where they employ people to work upon lace for the American markets, and it is calculated that the people of the United States pay foreigners in this way not less than 6 or \$700,000 annually, for what can as well be performed by themselves. A regular and habitual occupation in these delicate fabrics, must eventually lead to that beautiful state of perfection at which they have arrived in France, and some of the females engaged in the "lace school" have already attained a high degree of excellence.

[This elegant branch of business may be yet much extended, and there are yet various employments fitted for women who must, (on one account or another), make their livings at home, that would produce several millions a year, which are yet untouched. Some branches are much needed that will occupy the time which poor women can spare from indispensable attentions to their children, and ordinary domestic concerns. The wearing of stockings would be a capital employment, were not the cost of the frames so large.]

NAVAL. List of vessels belonging to different foreign stations—

Mediterranean. Frigate Brandywine. Sloops John Adams, Ontario, Boston and Concord.
West Indies. Sloops, Fairfield, Eric and Vincennes. Schooners Porpoise, Shark and Grampus.
Coast of Brazil. Sloops Warren and Lexington.
Pacific. Frigate Potomac, sloop Falmouth and schr. Dolphin.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

S. muel A. Morse, to be collector of the customs for the district, and inspector of the revenue for the port of Machias, in the state of Maine, from the 28th of January, 1832, when his present commission will expire.

Nathaniel Bullock, to be collector of the customs for the district of Bristol and Warren, in the state of Rhode Island, from the 2d of January, 1832, when his commission will expire.

William Halloway, to be surveyor and inspector of the revenue for the port of North Kingston, in the state of Rhode Island, from the 15th of February, 1832, when his present commission will expire.

H. G. S. Key, to be surveyor and inspector of the revenue for the port of Llewellynburgh, in the state of Maryland, from the 19th of February, 1832, when his present commission will expire.

Francis B. Armistead, to be surveyor and inspector of the revenue for the port of East River, in the state of Virginia, from the 9th of January, 1832, when his present commission will expire.

Danean McDonald, to be collector of the customs for the district and inspector of the revenue for the port of Edenton, in the state of North Carolina, from the 29th of February, 1832, when his present commission will expire.

James R. Pringle, to be collector of the customs for the district of Charleston, in the state of South Carolina, from the 29th of January, 1832, when his present commission will expire.

John Shellman, to be surveyor for the district and inspector of the revenue for the port of Savannah in the state of Georgia, from the 2d of January, 1832, when his commission will expire.

Thomas Eston Ramoiph, of Florida, to be marsh 1 of the United States, for the district of Florida, vice Alexander Adair, deceased.

Samuel Blair, of Florida, to be marshal of the United States for the eastern district of Florida, vice Waters Smith, deceased.

John K. Campbell, of Florida, to be attorney of the United States for the middle district of Florida, vice James A. Dunlap, deceased.

George Walker, of Florida, to be attorney of the U. States for the western district of Florida, vice John K. Campbell, transferred to the middle district.

Matthew Hall McAllister, of Georgia, to be attorney of the United States for the district of Georgia.

Daniel S. McCauley, of Pennsylvania, to be consul of the United States, for the city and kingdom of Tripoli, vice Charles D. Cox, deceased.

Samuel I. Carr, of South Carolina, to be consul of the United States, for the empire of Morocco, vice John Mallowney, deceased.

John Martin Baker, of Pennsylvania, to be consul of the United States, for the port of Rio de Janeiro, vice W. H. D. C. Wright, removed, at the request of the Brazilian government.

George Strobel, of Pennsylvania, to be consul of the United States, for the port of Bordeaux, in France, vice Daniel Strobel, resigned.

Frederick E. Bunker, of New York, to be consul of the United States, at Constantinople.

James C. Cole, to be collector of the customs for the district and inspector of the revenue, for the port of Newbern, in the state of North Carolina, vice Francis Hawks, deceased.

[We have another long list of approved nominations, among them those of the "cabinet ministers"—but have not time and room to give it this week.]

FOREIGN NEWS.

An arrival at Boston, brings intelligence from London to the evening of 30th November, inclusive.

ENGLAND.

The Burking cases continued to excite much alarm in London: one of the offenders, by the name of Shields, had made a confession which led to the arrest of several persons. There had been an affair in the county of Kilkenny in Ireland between a body of soldiers and some peasantry.

The London Courier of the 30th November contained the daily report of the cases of cholera at Sunderland, Nov. 28. Remained at last report 32—new cases 14—total 46—recovered 6—died 8—remaining 52. There had been 294 cases there since Oct. 26, 1831; deaths 86. It is now admitted by the government physicians to be the Asiatic disease. Out of 10 new cases reported on the 27th Nov. 8 died before the ensuing morning: the disease was evidently on the increase and had extended its ravages to New Castle.

FRANCE

A letter from Lyons, of Nov. 21, states that dreadful riots had taken place between the manufacturers and the workmen. Several thousand workmen had assembled on one night, and burning and pillage had been carried on to a dreadful extent. The number of killed and wounded of the rioters was very large. The workmen collected in the night, and made themselves masters of all the bridges and cut off all communication with the Swiss side of the Rhone. A sharp cannonading was going on at the writing of the letter from the city, as also from the Croix Rouss, which had not been taken at the latest advices. About 300 of the troops had been killed and wounded, among the former was reported a colonel of the line and six officers. The Hotel de Ville had been taken by the rioters, as also the powder magazine, the whole city was at the power of the mob—who had commenced the firing of houses in all directions. In the streets large fires were built, into which they threw all the books, stock and furniture which they pillaged. The number of workmen engaged in these riots at Lyons, was estimated at 60,000, and it was supposed, if government attacked them, the city would be reduced to ashes. This cause of these disturbances was occasioned by the manufacturers refusing to yield to a demand for higher wages.

The duke of Orleans, the eldest son of the king, had proceeded from Paris to Lyons to adjust matters. The latest accounts, however, say that the shops and theatres had been opened, and that tranquility had been restored.

PORTUGAL.

An account had reached London that there had been an insurrection in Lisbon and Don Miguel had fled.

TURKEY.

The cholera was making the most frightful ravages in Smyrna, business had been entirely suspended.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

January 13. The vice president communicated a report from the secretary of the treasury, in compliance with so much of the resolution of the senate of the 11th instant, as requires the monthly statements of the bank of the U. States for the year 1831, which was referred.

Various petitions were presented.

Mr. King reported a bill granting a lot of ground to the town of Columbus, for the abutment of a bridge over the Chatahochee river, which was read.

Mr. Hendricks submitted a resolution to inquire into the propriety of providing by law for the permanent preservation and repair of the Cumberland road east of the Ohio.

Thirteen bills were received from the house of representatives, severally twice read and referred to appropriate committees.

The senate then spent a considerable time in the consideration of executive business, and Adjourned to Monday.

January 16. Mr. Clayton, of Delaware, appeared to day, and took his seat.

The vice president communicated a report from the secretary of the navy, of the contingent expenses of that establishment for the year 1831.

He also communicated a report from the secretary of the treasury, transmitting copies of the instructions to the collectors of the customs and other officers, in respect to the British colonial trade, given or issued since the proclamation of the president of the U. S. of the 5th Oct. 1830.

Various petitions were presented, among them three by Mr. Dallas, of sundry merchants in Philadelphia, praying for an amendment (specified) to the 3d section of the act of May 28, 1830, relating to the average value upon which the duties on imported woollen and cotton goods are to be charged—which were referred.

Mr. Hendricks reported a bill providing for the continuation of the Cumberland road, through Ohio, Indiana and Illinois; which was read.

The resolutions submitted yesterday by Messrs. Hendricks and Moore, were severally considered and agreed to. The bill providing for the organization of the ordinance department was read the third time, passed, and sent to the other house.

The senate then on motion of Mr. Ewing, took up the following resolution, submitted by Mr. Clay on the 10th instant:

Resolved, That the existing duties upon articles imported from foreign countries, and not coming into competition with similar articles made or produced within the United States, ought to be forthwith abolished, except the duties upon wines and silks, and that those ought to be reduced. And that the committee on finance be instructed to report a bill accordingly.

Mr. Hayne proposed the following modification of the resolution:

Strike out all after the word "countries," and insert as follows: "be so reduced that the amount of the public revenue shall be sufficient to defray the expenses of government according to their present scale, after the payment of the public debt; and that, allowing a reasonable time for the gradual reduction of the present high duties on the articles coming into competition with similar articles made or produced within the United States, the duties be ultimately equalized, so that the duty on no article shall, as compared with the value of that article, vary, materially, from the general average."

Mr. Hayne then addressed the senate nearly four hours in support of his proposition in opposition to the original resolution, and in reply to Mr. Clay. When he concluded,

Mr. Dickerson moved to postpone the further consideration of the resolution to Monday next.

Mr. Clay was opposed to so distant a postponement. He wished an early decision of the question, that if the resolution was sustained by the senate, it might go soon to the committee.

Mr. Forsyth, thinking the present debate on the merits premature, was in favor of deciding the question at once, as the merits of the proposition would come up again, if a bill was ordered, and the whole debate would probably be repeated if the resolution were now discussed.

Mr. Tyler concurred in this view and supported it at some length.

Mr. Dickerson thought as Mr. Hayne had gone so largely into the merits of the question, gentlemen on the other side should have an opportunity of replying to him before the resolution went to a committee; and another reason for the postponement was that he expected some important information on the subject from the New York convention.

Mr. Wilkins supported the postponement, and Mr. Smith opposed it, when

The question being taken, the motion for postponement prevailed, without a division.

And the senate adjourned.

January 17. A message was received from the president, transmitting the annual report of the director of the mint, exhibiting the operations of that institution for the year 1831.

[The report states that the coinage of the past year amounts to \$3,923,473 60; comprising 714,270, in gold coins, \$3,175,600, in silver coins, and \$33,603 60, in copper—consisting, altogether, of 11,792,284 pieces, viz: half eagles, 140,594; quarter eagles, 4,520; half dollars, 5,875,660; quarter dollars, 398,000; dimes, 771,350; half dimes, 1,242,700; cents, 3,359,260; and half cents, 2,900. \$26,000 worth of the gold coined was received from Virginia; \$294,000 from North Carolina; and from Georgia, \$176,000 worth. Alabama and Tennessee also furnished gold bullion to the amount of about \$1,000 each, "indicating (as the report remarks) the progressive development of the gold region." The coinage of copper yielded a profit of about ten thousand dollars, the last year, and in consequence, reduced the expense of the mint establishment, for that time, to \$38,000.]

A number of petitions were presented, and among the rest, one by Mr. Dallas from sundry inhabitants of Philadelphia, traders to the western country, and others, praying for the renewal of the charter of the bank of the United States—referred.

On motion of Mr. Dallas, all the memorials on the subject of the improvement of the navigation of Back Creek, and not acted upon, were referred to a committee.

On motion of Mr. Ellis, an inquiry was instituted into the expediency of providing by law, for the exemption from postage of all letters conveyed on board of steamboats, relating to the cargo and enclosing bills of lading or invoices addressed to the owners or consignees of said cargoes.

On motion of Mr. Dallas, the committee on military affairs were instructed to inquire into the expediency of organizing the topographical engineers.

Mr. Bibb submitted the following resolution:

Resolved, That the committee on Indian affairs be instructed to inquire into the expediency of applying the Indians inhabiting the territory of East Florida, with corn for their subsistence, until the ensuing crop is fit for use.

Mr. Sprague submitted the following motions:

Resolved, That the president of the United States be requested to communicate to the senate all the correspondence between the executive of the United States and Great Britain, relative to the selection of an arbiter, under the convention of 29th September, 1827; and, also, the correspondence between the executive of the United States and the king of the Netherlands, relative to the acceptance, by the latter, of the office of arbiter, under said convention.

Resolved, That the president of the United States be requested to communicate to the senate, the arrangement which, in the letter of the secretary of state, to the governor of Maine, under date of the 21st of October, 1831, is said to have been made between the United States and Great Britain, "for precluding a final disposition could be made of the question," respecting our northeastern boundary; and all the correspondence in

relation thereto. And to inform the senate when, and in what manner, said "arrangement between the two nations" was made, and when, and in what manner, it was communicated to the governor of Maine, as mentioned in the said letter of the secretary of state.

The senate after considering some local bills, went into executive business; spent two hours therein, and then adjourned.

January 18. Various petitions and memorials were presented.

Mr. Robinson introduced a bill granting a quantity of land to the state of Illinois to aid in making a canal to connect the waters of the Illinois river with lake Michigan—twice read and referred.

The resolutions submitted yesterday by Messrs. Ellis, Tipton, Robinson, Dallas and Bibb, respectively, were considered and agreed to.

The resolution submitted yesterday by Mr. Sprague, relative to the north eastern boundary correspondence, was, after debate, adopted.

Mr. Benton submitted two resolutions, the one concerning the topographical engineers, and the other for increasing the number of army surgeons and assistant surgeons.

The bill to establish the office of surgeon general of the navy, and the bill for fixing the compensation of purveyors was postponed till Wednesday next.

The senate adjourned.

January 19. The resolutions yesterday submitted by Messrs. Benton, Ruggles, Tipton and Foot were considered and agreed to.

Various petitions and resolutions relative to private claims were presented and acted upon.

At about half past 12 o'clock the senate went into secret session, and sat with closed doors until 4 o'clock—when,

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 13. Several bills and reports were severally reported.

Mr. Vance asked the unanimous consent of the house, to offer a resolution, granting the use of the hall to the Colonization society on Monday evening next. Objection being made,

He moved to suspend the rule which prevented the motion, and the question being put, it was carried. Ayes 104, noes 45.

Mr. Vance then moved a resolution to that effect, which was agreed to.

Mr. Clay reported a bill authorizing the inhabitants of Jackson county, in the territory of Florida, to dispose of the lands arising from the sale of a quarter section of land reserved for the use of schools in Florida.

Mr. Clay explained the circumstances referred to in the bill, and moved for its engrossment.

Mr. Vinton said the bill contained a new principle, which required examination, and moved that the bill be committed.

Mr. Clay replied, and denied the existence of any such new principle.

Mr. Vinton rejoined, affirming that the bill did contain a new principle, and set an alarming precedent, likely to be very injurious to the interests of common schools.

The question was thereupon put, and the bill was committed.

The house resumed the consideration of the resolutions offered by Mr. Bouldin, relative to *ad valorem* duties.

Mr. Davis, of Massachusetts, proposed an amendment to the resolution.

Mr. Stewart of Pennsylvania, (who had moved to amend Mr. Bouldin's amendment, by striking out the preamble, and also striking out "commerce" and inserting "manufactures") expressed his willingness to adopt the amendment, as a modification of his own.

But the chair decided this not to be in order—as there was nothing in his amendment to which this could adhere; but if his were withdrawn, to which this could adhere.

Mr. Stewart consented to withdraw so much of his amendment, as went to strike out the preamble of Mr. Bouldin's resolution—but not the residue.

The question thereupon recurred on Mr. Stewart's amendment to strike out "commerce" and insert "manufactures."

Mr. *Cambreleng* observed, that he was very sure, to whichever of the committees the resolution should be referred, the committee would do its duty. But he begged to state, for the benefit of the two gentlemen from Pennsylvania, (Mr. *Stewart* and Mr. *Denny*), and to allay their very lively sensibility, that a majority of the committee of commerce were, unfortunately, of the same views with themselves on the general subject to which this resolution referred. The nature of the inquiries in the resolution was strictly and properly commercial. But the gentlemen were very much afraid (and there lay the point of anxiety about the matter) lest the people of the United States should discover how far they had been deceived by the substitution of the system of *minimum* for *ad valorem* duties. Mr. C. said he was not at all surprised that gentlemen should be extremely anxious to hide from the people the fact that, instead of 45 per cent. *ad valorem* on certain descriptions of woollen goods, as laid by the law, they were, in fact, paying from 75 to 100, and 150 per cent. Nor was he surprised that they should be equally anxious to conceal another fact, viz: that persons purchasing articles whose original cost was \$1 and 1 cent, were obliged to pay the same duties as upon those whose cost was \$2 50. The effect of the system went to reverse every rule of taxation; it was adverse to every principle of republicanism, and every rule of justice. For himself, he was indifferent to which of the committees the resolution should go, he had all confidence in the justice, candor, and fidelity of the gentleman (Mr. *Adams*) at the head of the committee on manufactures, and he was sure the facts would be brought out. But he could tell the gentleman, that whatever disposition should be made of the resolution, the inquiries contained in it should be answered, in spite of all they could do to smother the information. He should, himself, lay on the table statements containing all the facts the gentleman wished to elicit, and then he should see, by taking the yeas and nays, who would vote to refuse the printing of them, and withhold the information from the American people.

The fact ought to be perpetuated by an official record, that duties varying from 25 to 150 per cent. *ad valorem*, were paid where the law intended 40 and 45; and none knew the fact better than the gentleman who wished to stifle the inquiry. All he asked, at this great and important crisis, when those who had had the benefit of this system of duties for forty years were not content, but sought to impose it for forty years more upon the people, was, that the American people should know how far they had been deceived.

Mr. *Dearborn* rose in reply, and said that the gentleman from New York, had made an avowment to the house which was variant from the fact. The gentleman had said, that those who opposed the reference of the resolution to the committee on commerce, did not desire the information it sought should be obtained. The gentleman was much mistaken if he supposed that those who were favorable to the protecting system, desired the continuance of the minimum duties. When that mode of laying duties was at first proposed, it had indeed been predicted that the practical effect would be such; as the gentleman from New York had asserted it now to be; but, in practice, so far from this proving to be the result, the very reverse took place; so that, instead of paying 100 or 150 per cent. as the gentleman said, the importer more frequently paid no more than 15 or 20 per cent. The importers, (Mr. D. observed), knew perfectly well how to quadruple their prices in the invoice, to the minimum duties; and he asserted that no goods, since the minimum system had been enacted, had been invoiced more than from one to two pence sterling below each of the points of minimum value fixed by law. They took very good care not to be caught importing goods charged midway between those points.

If the investigations which had been made were entitled to the least degree of credit, the duties actually paid, so far from being exorbitant, were far beneath what the law intended. All the friends of the protecting system were well acquainted with the fact, that by

the intervention of fraudulent invoices, goods were brought down under minimums to which they did not belong, and thus made to pay a duty far less than that provided by the law. All who were concerned in manufactures were perfectly willing, nay, they expected, that the ridiculous system of minimums should be abolished. It gave little or no protection to the manufacturer; its operation was onerous and oppressive. He was surprised that the gentleman of New York should venture the declaration that on certain descriptions of woollen goods 100 and 150 per cent. duty was paid. This might in theory appear to be true; but in practice and in fact, it was far from being so. For himself, he was very indifferent to which committee the resolution was sent. The information might be obtained in various ways; from the committee on commerce, the committee on manufactures, or the secretary of the treasury. He had no doubt that the information was all, at that moment, within the city of Washington; and he cared not how it was reached. He thought, indeed, that the committee on manufactures was the most appropriate source from which to seek it; but he felt very indifferent as to the direction of the reference.

Mr. *Davis*, of Mass. observed, that no great benefit could accrue either to the house or to the country from the inquiry proposed by the resolution. The committee of commerce were to inquire and report to the house, as to what the rate per cent. actually paid on certain descriptions of goods designated in it, and, whether certain other goods were not, in effect, prohibited our shores. Now, if the information sought were in the department, if it was in the possession of the proper organs of the government, the proper course were to apply there. Had the committee of commerce any official statements to make to this house which were not in the department? Had that committee any mode of obtaining statements sanctioned by official authority, which was not in the department? No; they had none; none at all. The application to them was, therefore, of little utility. But it had been said by his worthy friend from New York, (Mr. *Cambreleng*), that it was very indifferent to him where the resolution was sent; the information was at hand, and it could and should be brought into this house. It was a proverbial remark, that it was the hot bird that fluttered; and when he saw that gentleman spring from his seat the moment it was proposed to transfer the reference of this resolution to another committee, he could not but think of that saying. Why was the gentleman so uneasy? What inspired him with such a heat of zeal? He would state the reason to the house. At this point of the debate,

Mr. *Walters* moved that the house proceed to the business on the speaker's table, and to the orders of the day.

The motion was carried, ayes 85, noes 54.

Mr. *Yancey* called up the second reading of a joint resolution, abolishing the office of an assistant in the corps of engineers.

The resolution, he stated, had received the unanimous assent of the committee who reported it; and further he would state what might appear very extraordinary, the resolution had the assent of the individual himself (Gen. *Gadsden*) who now filled the office which it was proposed to abolish.

The question being put, the resolution was unanimously ordered to its third reading to-morrow.

Mr. *Park* now moved to suspend the rule of the house, which appropriates this day to the consideration of private bills, in order to move to take up the appropriation bill.

Mr. *Hickliffe* said he wished to understand from the friends of the number 45,000 in the apportionment bill if they would allow a motion to be made for discharging the committee of the whole from that bill.

Mr. *Adams* said he hoped the gentleman from Kentucky would have permission to make the motion he desired. The house had spent two days in very unprofitable debate upon that bill, and he wished to see it brought to an end, and the bill reported in blank.

The question being taken, it was lost, less than two-thirds being in its favor. Ayes 94, Noes 56.

A bill for the relief of George Junius, of New York, was debated, and refused a third reading—or rejected.

A motion was made by Mr. *Dearborn*, that when the house shall adjourn this day, it will adjourn to meet again on Monday next.

Mr. *Whitsey*, of Ohio, demanded the yeas and nays on the question, which being taken, the motion prevailed, Yeas 105, Nays 73.

Two private bills being disposed of—the house adjourned to Monday.

Monday Jan. 16. Mr. *McDuffie* reported a bill making appropriations for certain improvements for the year 1832; which was twice read and committed.

Mr. *McDuffie*, from the committee of ways and means, reported the following resolution; which was read and laid on the table, viz:

Resolved, That the secretary of the treasury be requested to collect such facts and information as may be in his power, of the extent and condition, generally, of the manufactures of wool, cotton, hemp, iron, sugar, salt, and such other articles as are manufactured to a considerable extent in the U. States, and report the same to this house as early as may be practicable during the present session, for the use of congress; and that he be also requested, in transmitting the aforesaid information, to accompany it with such a tariff of duties upon imports, as in his opinion may be best adapted to the advancement of the public interest.

Mr. *Drayton* reported a bill making an appropriation towards the expense of laying out and opening a military road from fort Howard at Green bay to fort Crawford, on the Mississippi—twice read and committed.

He also reported the bill, from the senate, for the erection of barracks, quarters and store houses, and for the purchase of a site at New Orleans, without amendment.

Mr. *Evans* reported a bill concerning invalid pensions—twice read and committed.

Mr. *Irvin* reported a bill authorizing the governor of Arkansas to lease the salt springs in said territory.

Mr. *John S. Burdour* made a report in part, accompanied by a bill to provide for liquidating and paying certain claims of the commonwealth of Virginia—twice read and committed.

The resolution offered by Mr. *Bouldin*, some days since, and on which a debate was had last week, was taken up.

The question before the house was the amendment proposed by Mr. *Stewart*, of Pennsylvania, to send the inquiry to the committee on manufactures, instead of the committee on commerce, as proposed by the mover.

(Messrs. *Davis*, of Massachusetts, *Cambreleng* and *Bouldin* spoke on the subject. Their remarks were racy and interesting—but must be deferred. We expect to give them in our next. The question was not decided.)

Tuesday, Jan. 17. Various memorials were presented; among them, two from Philadelphia, on the subject of the tariff, and one from the Chesapeake and Delaware canal company, praying an appropriation for improving the navigation of Back Creek.

Mr. *Branch* presented a memorial and remonstrance of the special agent, and the chiefs, headmen and warriors of the Creek nation of Indiana, now in the city of Washington, remonstrating against the passage of a bill reported on the 8th inst. and now pending before this house, to carry into effect the 4th section of the treaty of the 8th of January, 1821, between the United States and the Creek nation of Indians, so far as relates to the claims of citizens of Georgia against said Indians, for injury done prior to the passage of the act of congress, regulating intercourse with Indian tribes, and praying that an act may be passed, directing the payment to the said nation of the sum of money proposed by said bill, to be paid to citizens of Georgia.

Mr. B. asked that the memorial might be read. The reading of the document having proceeded for some time,

Mr. *Speight* inquired whether his colleague intended to move for the printing of the document? Because, if it was to be printed, the time of the house need not be wasted in listening to the reading, since he expected, from its size, that it would occupy an hour, at least.

Mr. *Branch* replied, that it had been his wish to have it referred to a select committee, and if he could not succeed in such a motion, then to send it to the committee on claims. The ordinary course of reference would

be, he knew, to the committee on Indian affairs, but such a reference of it he must protest against, inasmuch as that committee had prejudged the question.

Mr. *Hell*, chairman of the committee on Indian affairs, said that he did not know that it was any valid objection against referring the memorial to the committee on Indian affairs, that a majority of that committee differed in opinion from the Creeks on the subject to which this memorial referred, and preferred the claim of the people of Georgia to that of the Creek nation on the land in question. A bill had already been reported on the subject, and the fairest and most proper reference of this memorial would be to the same committee of the whole house, which had charge of that bill.

Mr. *Branch* expressing his assent to this arrangement, the memorial was referred accordingly.

On motion of Mr. *Stewart*, it was

Resolved, That the committee on internal improvements be instructed to inquire into the expediency of making provision for the completion of the survey and location, and for opening the road connecting the Cumberland road with the northern lakes from Uniontown, with Cleveland, in the state of Ohio, by way of Pittsburgh.

On motion of Mr. *Jarvis*, it was

Resolved, That the committee on commerce be instructed to inquire into the expediency of amending the act entitled "an act to provide for obtaining accurate statements of the foreign commerce of the United States" so as to procure a more prompt exhibition to this house of the information required by said act.

Mr. *R. M. Johnson* reported a bill abolishing imprisonment for debt—twice read and committed.

Mr. *Irvin* reported a bill, to amend the bill, for the relief of the purchasers of the public lands that have reverted for the non-payment of the purchase money—twice read and committed.

The report from the mint was received.

The bill authorizing the governor of Arkansas, to sell the salt springs in that territory, and for other purposes, and the resolution to repeal the resolution of April 1816, authorizing the president to employ a skilful assistant in the corps of engineers—were severally read the third time, passed, and sent to the senate.

The speaker had before the house sundry communications, viz:

I. A letter from the secretary of war, transmitting a copy of the papers in the case of Ephraim Shuler, called for by the house on the 11th inst.

II. A letter from the secretary of the navy, transmitting a statement of the contingent expenses of the navy for the year ending September 30, 1831.

III. A letter from the secretary of state, containing information in relation to the execution of the act for taking the 5th census, and accompanied by a corrected return of said census.

The two first of which were referred, and the last laid on the table.

The house, on motion of Mr. *Polk*, went again into committee of the whole, on the apportionment bill, Mr. *Hoffman*, of New York in the chair.

A debate ensued.

Mr. *Polk* advocated the number 48,000, though he expressed a hope that the question might be taken on striking out that number.

After Messrs. *Craig*, *Burges* and *Burwinger* had spoken, the question was taken on Mr. *Stewart's* amendment to insert the number 46,000, and decided in the negative.

After some remarks from Messrs. *Stewart*, *Root* and *Polk*, the question was at length taken on the motion of Mr. *Craig* to strike out the number 48,000 from the bill; which motion was decided in the negative—yeas 84, nays 93.

So the committee determined that the number 48,000 should be retained.

Mr. *Clay* thereupon moved that the committee rise, and report the bill without amendment; when the question was about to be taken,

Mr. *Hubbard*, of N. H. moved to amend by striking out the number 48 and inserting 44,000.

Messrs. *Adams*, *Hubbard*, *Meier*, *Dearborn*, *Rais* and *Scriffer* supported the proposition of Mr. *Hubbard*; Mr. *Cowan* and Mr. *Polk* were in favor of 48,000.

Mr. *Wayne* moved that the committee rise—Mr. *Hayne's* motion prevailing, the committee rose and reported progress, and the house adjourned.

Wednesday Jan. 18. The house resumed the consideration of Mr. Bouldin's resolutions.

Mr. Stewart resumed the course of his remarks, which had been suspended yesterday. Before he had concluded, the chair declared that the discussion was taking too wide a range.

Mr. Cambreleng protested against any remarks of his, in reply to Mr. Davis, being made the pretext for a long tariff debate.

Mr. Stewart concluded by offering an amendment to the amendment of Mr. Davis, which he supposed to be before the house.

The chair having declared this not to be the case.

Mr. Davis thereupon moved his amendment in the words following:

Strike out all before and all after the word "resolved," and insert the following: "That the committee on manufactures be instructed to inquire into and report to this house, (if they possess the information), the practical effect of the revenue laws upon the commerce, agriculture and manufactures of this country. Also, whether frauds are not perpetrated in the importation of goods, and the revenue thereby reduced, and how such frauds may be suppressed. Also, whether the statute value of the pound sterling ought not to be so modified as to conform to the actual value in the United States, and to accompany their report, if they shall make one, by the evidence upon which it shall be predicated."

The amendment being read—

Mr. Wickliffe, after expressing his gratification that his friend from Pennsylvania, (Mr. Stewart), had yielded to the indication of the will of the house, declared himself to be in favor of obtaining as much information, on both sides of the tariff question, as could be got; and his conviction that the resolution of the gentleman from Virginia had been honestly offered—and would elicit facts important as well to the opponents as to the advocates of the protecting system, with whom he had heretofore acted, and with whom he expected to act again, though not to the extent that they might desire, proceeded to move the previous question.

Mr. Davis requested that he would withdraw his motion, that he might offer some remarks in support of his amendment—but Mr. Wickliffe refusing to do so, the question was put, and the motion for the previous question was seconded—*yays 96; nays 77.*

Mr. Vance thereupon demanded that the previous question should be taken by yeas and nays, which was ordered.

The speaker then propounded the previous question in the words following: "Shall the main question now be put?" N. B. The main question was on agreeing to Mr. Bouldin's resolution without amendment, and it was decided by yeas and nays—*Yeas 93, nays 96.*

So the house decided that the main question should not be put, which decision, according to a rule of order, removes the subject to which it relates from the consideration of the house for one day.

The engrossed bill for the relief of the officers and soldiers of the Virginia line and navy, and of the continental army, during the revolutionary war, was read the third time and passed.

The house then proceeded to the consideration of the orders of the day, and on motion of Mr. Polk, went into committee of the whole on the state of the union, Mr. Hoffman in the chair, and resumed the consideration of the apportionment bill; the question being on the motion of Mr. Hubbard, of N. Hampshire, to amend the bill by striking out the number 48 and inserting the number 44.

Mr. Speight of N. Carolina addressed the house in opposition to the amendment.

Mr. Grennell, of Massachusetts, and Mr. Lecompt, of Kentucky, were in favor of it.

Mr. Doubleday, and Mr. Clifton Allan, Mr. Ellsworth and Mr. Clay were in favor of the larger number.

Mr. Tracy and Mr. Thomas and Mr. Burd of Pennsylvania, also spoke, the latter at length in favor of the amendment.

Mr. Briggs, of Massachusetts, next obtained the floor; but, it being now past 4 o'clock, after a few prefatory words, he moved that the committee rise.

It rose accordingly, and reported progress; when the house immediately adjourned.

Thursday Jan. 19. Mr. Burgess reported a bill for the benefit of certain invalid pensioners—also a bill regulating the commencement of invalid pensions—which bills were severally twice read and committed.

Mr. Adams, from the committee on manufactures, reported the following resolution:

Resolved, That the secretary of the treasury be directed to obtain information as to the quantities and kinds of the several articles manufactured in the United States during the year, particularly those of iron, cotton, wool, hemp and sugar, and the cost thereof; and also the quantities and cost of similar articles imported from abroad during the same year; and that he lay the same before this house as early as may be practicable during the present session of congress, together with such information as he may deem material, and such suggestions as he may think useful, with a view to the adjustment of the tariff, after the payment of the public debt.

Mr. Adams stated that he had been instructed by the committee to ask of the house, that the rule which requires that calls on the department should lie for one day on the table, should in this case be suspended, in order that the resolution might be acted upon without delay.

The question being put, the house agreed to suspend the rule, and to consider the resolution at this time.

After some debate, as to the identity of Mr. Adams' resolution with one moved some days since by Mr. McDuffie, calling for information of a similar character, the house agreed in Mr. A's resolution.

The house then took up the resolution of Mr. McDuffie, and agreed to it.

Mr. Jarvis moved the following resolution:

Resolved, That the committee on the library be instructed to inquire into and report to this house the causes of the delay in the printing of the reports of war, navy and treasury departments, and of the journal of the house.

A debate ensued Mr. Carson and Mr. Davis, treated the resolution as an extraordinary one. Mr. Jarvis supported it.

The bill empowering the secretary of the treasury to compromise the claims of the United States on the commercial bank of Erie, came up as the unfinished business of yesterday morning, and the debate upon it was resumed.

After Messrs. Cambreleng, Ingersoll, Whittlesey, Hoffman and McDuffie had spoken, the further consideration of the bill was postponed till Tuesday next.

The apportionment bill was taken up in committee of the whole, and after debate, the committee rose, and reported progress—when the house adjourned.

MR. CLAY'S SPEECH.

In senate, Wednesday, January 11, 1832.

REDUCTION OF DUTIES.

The following resolution, submitted by Mr. Clay on Monday last, being the special order of the day, was taken up for consideration.

Resolved, That the existing duties upon articles imported from foreign countries, and not coming into competition with similar articles made or produced within the United States, ought to be forthwith abolished, except the duties upon wines and silks, and that those ought to be reduced. And that the committee on finance be instructed to report a bill accordingly.

The resolution having been read, Mr. Clay rose and addressed the senate, in substance, as follows:

I have a few observations, Mr. President, and only a few, to submit to the senate, on the measure now before you; in doing which I have to ask all your indulgence, I am getting old; I feel but too sensibly and unaffectedly the effects of approaching age; and I have been, for some years, very little in the habit of addressing deliberative assemblies. I am told that I have been the cause—the most unwilling cause, if I have been, of exciting expectations, the evidence of which is around us. I regret it; for however the subject on which I am to speak, in other hands might be treated to gratify or to reward the presence and attention now given, in mine, I have nothing but a plain, unvarnished and unambitious exposition to make.

It forms no part of my present purpose, said Mr. C. to enter into a consideration of the established policy of protection. Strong in the convictions, and deeply seated in the affections of a large majority of the people of the United States, it stands self-validated, in the general prosperity, in the rich trusts which it has scattered over the land, in the experience of all prosperous and powerful nations, present and past, and now, in that of our own. Nor do I think it necessary to discuss that policy on this resolution. Other gentlemen may think differently, and may choose to argue and assail it. If they do, I have no doubt that, in all parts of the senate, members more competent than I am, will be ready to defend and support it. My object now is to limit myself to a presentation of certain views and principles connected with the present financial condition of the country.

A consideration of the state of the public revenue has become necessary in consequence of the near approach of the entire extinction of the public debt, and I concur with you, sir, in believing that no season could be more appropriate than the present session of congress to endeavor to make a satisfactory adjustment of the tariff. The public debt chiefly arose out of the late war, justly denominated the second contest for national independence. An act, commonly called the sinking fund act, was passed by congress near fifteen years ago, providing for its reimbursement. That act was prepared and proposed by a friend of yours and mine, whose premature death was not a loss merely to his native state, of which he was one of its brightest ornaments, but to the whole nation. No man, with whom I ever had the honor to be associated in the legislative councils, combined more extensive and useful information, with more firmness of judgment and blandness of manner, than did the lamented Mr. Lowndes. And when, in the prime of life, by the dispensation of an all-wise Providence, he was taken from us, his country had reason to anticipate the greatest benefits from his wisdom and discretion. By that act, an annual appropriation of ten millions of dollars was made towards the payment of the principal and interest of the public debt; and also any excess which might yearly be in the treasury, beyond two millions of dollars, which it was thought prudent to reserve for unforeseen exigencies.

But this system of regular and periodical application of public revenue to the payment of the public debt, would have been unavailing, if congress had neglected to provide the necessary ways and means. Congress did not, however, neglect the performance of that duty. By various acts, and more especially by the tariff of 1824—the abused tariff of 1824—the public coffers were amply replenished, and we have been enabled to reach our present proud eminence of financial prosperity. Altho' congress had thus abundantly provided funds, and directed their systematic application, the duty remaining to be performed by the executive was one simply ministerial. And no executive and no administration can justly claim for itself any other merit in the discharge of the public debt, than that of a faithful execution of the laws. No other merit than that similar one to which it is entitled for directing a regular payment of what is due from time to time to the army and navy, or to the officers of the civil government for their salaries.

The operation of the sinking fund act commenced with the commencement of Mr. Monroe's administration. During its continuance of eight years, owing to the embarrassments of the treasury, the ten millions were not regularly applied to the payment of the debt; and, upon the termination of that administration, the treasury stood largely in arrear to the sinking fund. During the subsequent administration of four years, not only was the ten millions faithfully applied during each year, but those arrears were brought up and all previous deficiencies made good. So that, when the present administration began, a plain unincumbered and well defined path lay directly before it. Under the measures which have been devised, in the short term of fifteen years, the government has paid nearly one hundred millions of principal and about an equal sum of interest, leaving the small remnant behind of twenty-four mil-

Of that remnant, thirteen millions consist of the 3 per cent. stock, created by the act of 1790, which the government does not stand bound to redeem at any prescribed time, but which it may discharge whenever it suits its own convenience; and when it is discharged it must be done by the payment of dollar for dollar. I cannot think, and, I should suppose, congress can hardly believe, with the secretary of the treasury, that it would be wise to pay off a stock of thirteen millions, entitling its holders to but three per cent. with a capital of thirteen millions worth an interest of six per cent. In other words, to take from the pockets of the people two dollars to pay one, in the hands of the stockholder.

The moral value of the payment of a national debt, consists in the demonstration which it affords of the ability of a country to meet, and its integrity in fulfilling all its engagements. That the resources of this country, increasing as it constantly is in population and wealth, are abundantly sufficient to meet any debt which it may ever prudently contract cannot be doubted. And its punctuality and probity, from the period of the assumption, in 1790, of the debt of the revolution down to the present time, rest upon a solid and uncontestable foundation. The danger, perhaps, is not that it will not fairly meet its engagements, but that from an inordinate avidity, arising from temporary causes, it may bring discredit upon itself by imprudent arrangements, which no prudent man, in the management of his private affairs, would ever think of adopting.

Of the residue of that twenty-four millions of debt, after deducting the thirteen millions of three per cent., less than two millions are due, and of right payable within the present year. If to that sum be added the moiety which becomes due on the 31st of December next of the \$4,454,727, created by the act of 26th May, 1824, we have but a sum of about four millions which the public creditor can lawfully demand, or which the government is bound to pay in the course of this year. If more is paid, it can only be done by anticipating the periods of its payment, and going into the public market to purchase the stock. Can it be doubted that if you do so, the vigilant holder of the stock, taking advantage of your anxiety, will demand a greater price than its value? Already we perceive that the three per cent. have risen to the extraordinary height of 96 per cent. The difference between a payment of the inconsiderable portion remaining of the public debt, in one, two, or three years, is certainly not so important as to justify a resort to highly disadvantageous terms.

Whoever may be entitled to the credit of the payment of the public debt, I congratulate you, sir, and the country, most cordially, that it is so near at hand. It is so near being totally extinguished, that we may now safely inquire whether without prejudice to any established policy, we may not relieve the consumption of the country, by the repeal or reduction of duties, and curtail considerably the public revenue. In making this inquiry, the first question which presents itself is, whether it is expedient to preserve the existing duties in order to accumulate a surplus in the treasury for the purpose of subsequent distribution among the several states? I think not. If the collection, for the purpose of such a surplus, is to be made from the pockets of one portion of the people, to be ultimately returned to the same pockets, the process would be attended with the certain loss arising from the charges of collection, and with the loss also of interest while the money is performing the unnecessary circuit; and it would therefore be unwise. If it is to be collected from one portion of the people and given to another, it would be unjust. If it is to be given to the states, in their corporate capacity, to be used by them in their public expenditure, I know of no principle in the constitution which authorizes the federal government to become such a collector for the states, nor of any principle of safety or propriety which admits of the states becoming such recipients of gratuity from the general government.

The public revenue, then, should be regulated and adapted to the proper service of the general government. It should be ample; for a deficit in the public income, always to be deplored, is sometimes attended, as we know well from history, and from what has happened in our own time, with fatal consequences. In a

country so rapidly growing as this is, with such diversified interests, new wants and unexpected calls upon the public treasury must frequently occur. Take some examples from this session. The state of Virginia has presented a claim, for an amount but little short of a million, which she presses with an earnestness demonstrating her conviction of its justice. The state of South Carolina has also a claim for no inconsiderable sum, being upwards of \$100,000, which she urges with equal earnestness. The gentleman from Pennsylvania, (Mr. Watkins) has brought forward a claim, arising out of French spoliation previous to the convention of 1800, which is perhaps not short of five millions, and to some extent I have no doubt it has a just foundation. In any provision of a public revenue, congress ought so to fix it as to admit of the payment of honest and proper demands, which its justice cannot reject or evade.

I hope too that either in the adjustment of the public revenue or, what would be preferable, in the appropriation of the proceeds of the public lands, a effectual and permanent provision will be made for such internal improvements as may be sanctioned by congress. This is due to the American people, and emphatically due to the western people. Sir, temporary causes may exact a reluctant acquiescence from the people of the west, in the suspension of appropriations to objects of internal improvement, but as certain as you preside in that chair, or as the sun performs its diurnal revolution, they will not be satisfied with an abandonment of the policy. They will come here and tell you, not in a tone of menace or supplication, but in the language of conscious right, that they must share with you in the benefits, as they divide with you the burthens and the perils of a common government. They will say that they have no direct interest in the expenditures for the navy, the fortifications, nor even the army, those greatest absorbents of the public treasure. That they are not indifferent, indeed, to the safety and prosperity of any part of our common country. On the contrary, that every portion of the republic is indirectly, at least, interested in the welfare of the whole; and that they ever sympathize in the distresses and rejoice in the happiness of the most distant quarter of the union. And to demonstrate that they are not careless or indifferent to interests not directly their own, they may triumphantly and proudly appeal to the gallant part which they bore in the late war, and point to the bloody fields on which some of their most patriotic sons nobly fell fighting in the common cause. But they will also say that these fraternal and just sentiments ought to be reciprocated by their Atlantic brethren. That these ought not to be indifferent to the welfare of the west, and that they have the same collateral or indirect interest in its success and advancement that the west has in theirs. That it does not ask internal improvements to be exclusively confined to itself, but that it may receive, in common with the rest of the union, a practical benefit in the only form compatible with its interior condition.

The appropriation of the proceeds of the public lands, or a considerable portion of them, to that object, would be a most natural and suitable disposition. And I do hope, sir, that that great resource will be cherished and dedicated to some national purpose worthy of the republic. Utterly opposed as, I trust, congress will shew itself to be to all the mad and wild schemes—and to that latest, but maddest and wildest of all, recommended by the secretary of the treasury—for squandering the public domain, I hope it will be preserved for the present generation and for posterity, as it has been received from our ancestors, a rich and bountiful inheritance. In these halcyon days of peace and plenty, and an overflowing treasury, we appear to embarrass ourselves in devising visionary schemes for casting away the bounties with which the goodness of Providence has blessed us. But, sir, the storm of war will come, when we know not the day of trial and difficulty will assuredly come, and now is the time, by a prudent foresight, to husband our resources, and this, the greatest of them all. Let them not be hoarded and hugged with a miser's embrace, but liberally used. Let the public lands be administered in a generous spirit, and especially towards the states within which they are situated. Let the proceeds of the sales of the public lands be applied in a sen-

son of peace, to some great object; and when war does come, by suspending that application of them, during its continuance, you will be at once put in possession of means for its vigorous prosecution. More than twenty-five years ago, when first I took a seat in this body, I was told, by the fathers of the government, that, if we had any thing perfect in our institutions, it was the system for disposing of the public lands, and I was exultant against such innovations in it. Subsequent experience fully satisfied me of the wisdom of their counsels, and that all vital changes in it ought to be resisted.

Although it may be impracticable to say what the exact amount of the public revenue should be, for the future, and what would be the precise produce of any given system of imposts, we may safely assume, that the revenue may now be reduced, and considerably reduced. This reduction may be effected in various ways, and on different principles. Only three modes shall now be noticed.

1st. To reduce duties on all articles, in the same ratio, without regard to the principle of protection.

2d. To retain them on the unprotected articles, and augment them on the protected articles.

And, 3d. To abolish and reduce the duties on unprotected articles, retaining and enforcing the faithful collection of those on the protected articles.

To the first mode there are insuperable objections. It would lead inevitably to the destruction of our home manufactures. It would establish a sort of *bisul* of Protection, by which the duties on all articles should be blindly measured, without respect to their nature or the extent of their consumption. And it would be derogatory from every principle of theory or practice on which the government has hitherto proceeded.

The second would be still more objectionable to the foes of the tariff than either of the others. But it cannot be controverted that, by augmenting considerably the duties on the protected class, so as to carry them to the point, or near to the confines of absolute prohibition, the object in view, of effecting the necessary reduction of the public revenue, may be accomplished without touching the duties on the unprotected class. The consequence of such an augmentation would be a great diminution in the importation of the foregoing article, and of course in the duties upon it. But against entire prohibition, except perhaps in a few instances, I have been always, and still am, opposed. By leaving the door open to the foreign rival article, the benefit is secured of a salutary competition. If it be hermetically closed, the danger is incurred of monopoly.

The third mode is the most equitable and reasonable, and it presents an undebatable ground, on which I had hoped we could all safely tread, without difficulty. It exacts no sacrifice of principle from the opponent of the American system; it comprehends none on the part of its friends. The measure before you embraces this mode. It is simple, and free from all complexity. It divides the whole subject of imposts according to its nature. It settles at once what ought not to be disputed, and leaves to be settled hereafter, if necessary, what may be controverted.

A certain part of the south has hitherto complained that it pays a disproportionate amount of the imposts. If the complaint be well founded, by the adoption of this measure it will be relieved at once, as will be hereafter shewn, from at least a fourth of its burthens. The measure is in conformity with the uniform practice of the government, from its commencement, and with the professions of all the eminent politicians of the south, until of late. It assumes the right of the government, in the assessment of duties, to discriminate between those articles which sound policy requires it to foster, and those which it need not encourage. This has been the invariable principle, on which the government has proceeded, from the act of congress of the 4th of July, 1789, down to the present time. And has it not been admitted by almost every prominent southern politician? Has it not been even acknowledged by the fathers of the free trade church, in their late address promulgated, from Philadelphia, to the people of the United States? If we never had a system of foreign imposts, and were now called upon, for the first time, to originate one, should we not discriminate be-

tween the objects of our own industry, and those produced by foreigners? And is there any difference in its application, between the modification of an existing system and the origination of a new one? If the gentlemen of the south, opposed to the tariff, were to obtain complete possession of the powers of government, would they hazard their exercise upon any other principle? If it be said that some of the articles which would, by this measure, be liberated from duties, are luxuries, the remark is equally true of some of the articles remaining subject to duties. In the present advanced stage of comfort and civilization, it is not easy to draw the line between luxuries and necessities. It will be difficult to make the people believe that bohea tea is a luxury, and the article of fine broad cloths is a necessary of life.

In stating that the duties on the protected class ought to be retained, it has been far from my wish to preclude inquiry into their adequacy or propriety. If it can be shown that, in any instance, they are excessive or disproportionately burdensome on any section of the union, for one I am ready to vote for their reduction or modification. The system contemplates an adequate protection; beyond that it is not necessary to go. Short of that, its operation will be injurious to all parties.

The people of this country, or a large majority of them, expect that the system will be preserved. And its abandonment would produce general surprise, spread desolation over the land, and occasion as great a shock as a declaration of war forthwith against the most powerful nation of Europe.

But if the system be preserved, it ought to be honestly, fairly, and faithfully enforced. That there do exist the most scandalous violations of it, and the grossest frauds upon the public revenue, in regard to some of the most important articles, cannot be doubted. As to iron, objects really belonging to one denomination, to which a higher duty is attached, are imported under another name, to which a lower duty is assigned, and the law thus evaded. False invoices are made as to woollens, and the classification into minimums is constantly eluded. The success of the American manufacture of cotton bagging has been such as that, by furnishing a better and cheaper article, the bagging of Liverpool and Dundee has been almost excluded from the consumption of the states bordering on the Mississippi and its tributaries. There has not yet been sufficient time to lubricate and transport the article in necessary quantities from the western states to the southern Atlantic states, which therefore have been almost exclusively supplied from the Scottish manufacturers. The payment of the duty is evaded by the introduction of the foreign fabric, under the name of burlaps, or some other mercantile phrase, and instead of paying five cents the square yard, it is entered with a duty of only fifteen per cent. ad valorem. That this practice prevails, is demonstrated by the treasury report of the duties accruing on cotton bagging for the years 1828, 1829, and 1830. During the first year the amount was \$137,506, the second \$106,068, and the third it sunk down to \$14,141!

The time has arrived when the inquiry ought to be seriously made, whether it be not practicable to arrest this illegitimate course of trade, and secure the faithful execution of the laws. No time could be more suitable than that at which it is contemplated to make a great reduction of the public revenue. Two radical changes have presented themselves to my mind, and which I will now suggest for consideration and investigation. On such a subject, I would, however, seek from the mercantile community and practical men, all the light which they are so capable of affording, and should be reluctant to act on my own convictions, however strong.

The first is to make a total change in the place of valuation. Now the valuation is made in foreign countries. We fix the duties, and we leave to foreigners to assess the value on articles paying ad valorem duties. That is, we prescribe the rule, and leave its execution to the foreigner. This is an anomaly, I believe, peculiar to this country. It is evident that the amount of duty payable on a given article subject to an ad valorem duty, may be effected as much by the fixation of the value, as by the specification of the duty. And, for all practical purposes, it would be just as safe to retain to ourselves the

ascertainment of the value, and leave to the foreigner to prescribe the duty, as it is to reserve to ourselves the right to declare the duty and allow to him the privilege to assess the value.

The effect of this vicious condition of the law has been to throw almost the whole import trade of the country, as to some important articles, into the hands of the foreigner. I have been informed that seven-eighths of the importation of woollens into the port of New York, where more is received than in all the other ports of the United States together, are in his hands. This has not proceeded from any want of enterprise, intelligence, or capital, on the part of the American merchant; for, in these particulars, he is surpassed by the merchant of no country. It has resulted from his probity, his character, and his respect to the laws and institutions of his country—a respect which does not influence the foreigner. I am aware that it is made by law, the duty of the appraiser to ascertain the value of the goods in certain cases. But what is his chief guide? It is the foreign invoice, made by whom he knows not, certainly by no person responsible to our laws. And, if its fairness be contested, they will bring you a set-on of certificates and affidavits from unknown persons to verify its exactness, and the first cost of the article.

Now, sir, it seems to me that this is a state of things to which we should promptly apply an efficacious remedy, and no other appears to me, but that of taking into our own hands both parts of the operation, the ascertainment of the value as well as the duty to be paid on the goods. If it be said that we might have, in different ports, different rules, the answer is, that there could be no diversity greater than that to which we are liable from the fact of the valuation being now made in all the ports of foreign countries from which we make our importations. And that it is better to have the valuations made by persons, responsible to our own government, and regulated by one head, than by unknown foreigners, standing under no responsibility whatever to us.

The other change to which I allude, is to reduce the credits allowed for the payment of duties and to render them uniform. It would be better, if not injurious to commerce, to abolish them altogether. Now we have various periods of credit graduated according to the distance of the foreign port, and the nature of the trade. These credits operate as so much capital on which the foreign merchant can sometimes make several adventures before the arrival of the day of payment. There is no reciprocal advantage afforded to the American merchant, I believe, in any foreign port. As we shall probably abolish or reduce greatly the duties on all articles imported from beyond the cape of Good Hope, on which the longest credits are allowed, the moment would seem to be propitious for restricting the other credits in such manner, that whilst they afforded a reasonable facility to the merchant, they should not supply the foreigner at the instance of the public, with capital for his mercantile operations. If the laws can be strictly enforced, and some such alterations as have been suggested, can be carried into effect, it is quite probable that a satisfactory reduction may be made of the duties upon some of the articles falling within the system of protection. And, without impairing its principle, other modes of relief may possibly be devised to some of those interests upon which it is supposed to press most heavily.

There remains one view to present to the senate in respect to the amount of reduction of the revenue which will be produced by the proposed measure if adopted, and its influence upon the payment of the public debt within the time suggested by the secretary of the treasury. The estimate which I have made of that amount is founded upon treasury returns prior to the late reduction of duties on tea, coffee, and cocoa. Supposing the duties on wines and silks to be reduced as low as I think they may be, the total amount of revenue with which the proposed measure will dispense will be about \$7,000,000. The secretary of the treasury estimates the receipts of the present year from all sources at \$30,100,000, and he supposes those of the next year will be of an equal amount. He acknowledges that the past year has been one of extraordinary commercial activity; but on what principles does he anticipate that the present will also be? The history of our commerce demonstrates that it

alternates, and that a year of intemperate speculation is usually followed by one of more guarded importation. That the importations of the past year have been excessive I believe is generally confessed, and is demonstrated by two unerring facts. The first is that the imports have exceeded the exports by about seventeen millions of dollars. Whatever may be the qualifications to which the theory of the balance of trade may be liable, it may be safely affirmed, that when the aggregate of the importations from all foreign countries exceeds the aggregate of the exportations to all foreign countries considerably, the unfavorable balance must be made up by a remittance of the precious metals to some extent. Accordingly we find the existence of the other fact to which I allude, the high price of bills of exchange on England. It is, therefore, fairly to be anticipated that the duties accruing this year will be less in amount than those of the past year. And I think it would be unwise to rely upon our present information as to the income of either of these two years as furnishing a safe guide for the future. The years 1829 and 1830 will supply a surer criterion. There is a remarkable coincidence in the amount of the receipts into the treasury during those two years, it having been the first from all sources \$24,827,627 38, and the second \$24,844,116 51, differing only about \$17,000.

The mode recommended by the secretary, for the modification of the tariff is to reduce no part of the duties on the unprotected articles, prior to March 1833, and then to retain a considerable portion of them. And as to the protected class, he would make a gradual but prospective reduction of the duties. The effect of this would be to destroy the protecting system by a slow but certain poison. The object, being to reduce the revenue, every descending degree in the scale of his plan of gradual reduction, by letting in more of the foreign article to displace the domestic rival fabric, would increase the revenue and begot a necessity for further and further reduction of duties until they would be carried so low as to end in the entire subversion of the system of protection.

For the reasons which have been assigned it would, I think be unwise in congress at this time to assume, for the future, that there would be a greater amount of nett annual revenue, from all sources, including the public lands, than \$25,000,000. Deducted from that sum the amount of seven millions which it has been supposed ought to be subtracted, if the resolution before you should be adopted there would remain \$18,000,000 as the probable revenue for future years. This includes the sum of three millions estimated as the future annual receipt from the sale of the public lands—an estimate which I believe will be demonstrated by experience to be much too large.

If a reduction so large as seven millions be made at this session; and if the necessary measures be also adopted to detect and punish frauds, and ensure a faithful execution of the laws, we may safely make a temporary pause, and await the development of the effect upon the revenue of these arrangements. That the authority of the laws should be vindicated, all ought to agree. Now, the fraudulent importer, after an exposure of his fraud, by a most strange treasury construction of the law, (made I understand, however, not by the present secretary), eludes all punishment, and is only required to pay those very duties which he was originally bound for, but which he dishonestly sought to evade. Other measures, with a view to a further reduction of the revenue, may be adopted. In some instances, there might be an augmentation of duties for that purpose. I will mention the article of foreign distilled spirits. In no other country upon earth is there so much of the foreign article imported as in this. The duties ought to be doubled, and the revenue thereby further reduced from \$600,000 to a million. The public morals, the grain growing country, the fruit-raising, and the cane-planting country, would be all benefited by rendering the duty prohibitory. I have not proposed the measure, because, it, perhaps, ought to originate in the other house.

That the measure which I have proposed may be adopted, without interfering with the plan of the secretary for the treasury for the payment of the public debt by the 4th of March next, I will now proceed to show.

The secretary estimates that the receipts of the present year, after meeting all other just engagements, will leave a surplus of 14 millions applicable to the payment of the principal of the debt. With this sum, 8 millions which he proposes to derive from the sale of the bank stock, and 2 millions which he would anticipate from the revenue of the next year, he suggests that the whole of the debt remaining may be discharged by the time indicated. The 14 millions, I understand, (although on this subject the report is not perfectly explicit), are receipts anticipated this year from duties which accrued last year. If this be the secretary's meaning, it is evident that he wants no part of the duties which may accrue during the current year to execute his plan. But if his meaning be, that the fourteen millions will be composed in part of duties accruing and payable within the present year, then the measure proposed might prevent the payment of the whole of the remnant of the debt by the exact day which has been stated. If, however, the entire seven millions, embraced by the resolution on your table, were subtracted from the fourteen, it would still leave him seven millions, besides the bank stock, to be applied to the debt, and that, of itself, would be three millions more than can be properly applied to the object, in the course of this year, as I have already endeavored to shew.

I came here, sir, most anxiously desiring that an arrangement of the public revenue should be made, which, without sacrificing any of the great interests of the country, would reconcile and satisfy all its parts. I thought I perceived in the class of objects not produced within the country, a field on which we could all enter, in a true and genuine spirit of compromise and harmony, and agree upon an amicable adjustment. Why should it not be done? Why should those who are opposed to the American System demand of its friends an unconditional surrender? Our common object should be so to reduce the public revenue as to relieve the burthens of the people, if indeed the people of this country can be truly said to be burthened. The government must have a certain amount of revenue, and that amount must be collected from the imports. Is it material to the consumer, wherever situated, whether the collection be made upon a few or many objects, provided whatever be the mode, the amount of his contribution to the public exchequer remains the same? If the assessment can be made on objects which will greatly benefit large portions of the union, without injury to him, why should he object to the selection of those objects? Yes, sir, I came here in a spirit of warm attachment to all parts of our beloved country, with a lively solicitude to restore and preserve its harmony, and with a firm determination to pour oil and balm into existing wounds, rather than further to lacerate them. For the truth and sincerity of these declarations, I appeal to HIM whom none can deceive. I expected to be met by corresponding dispositions, and hoped that our deliberations, guided by fraternal sentiments and feelings, would terminate in diffusing contentment and satisfaction throughout the land. And that such may be the spirit presiding over them, and such their issue, I yet most fervently hope.

When Mr. Clay took his seat—

Mr. Hayne rose. He did not rise, he said, to enter at this time into the discussion of the question. Perhaps he should not, at any time, be disposed to follow the gentleman through the wide field which he had occupied. He certainly had no such intention now: he rose merely to make a motion, and should, in the fewest words possible, state the reasons which had induced him to do so.

The question presented by the resolution, Mr. Hayne said was not only one of deep interest to the whole country, but he was persuaded it was, by far, the most important that could command the attention of congress during the present session. The period to long and so anxiously looked for and desired, had at length arrived. The public debt was paid, for so gentlemen on all sides had agreed to consider it, and the question necessarily arose, what adjustment of the tariff of duties was to be made in this new and most gratifying condition of our affairs. Upwards of 12,000,000 dollars per annum, nearly one half of the entire amount of the public debt, will, (when the debt is paid), cease to be a charge upon the

country, and to this extent at least, the people have a right to expect an immediate reduction of their burdens. But what does the resolution now before us propose? That duties to the amount of only six or seven mill one should be taken off, and that the reduction shall be exclusively confined to articles which do not enter into competition with similar articles produced at home; in other words, articles of universal consumption, and, in relation to which, every class of the people, and every portion of the country, contribute equally, should be relieved entirely from all taxation, while the high duties on the protected articles were to remain untouched. In a word, that the bands of that mammoth system of injustice and oppression, (he meant no offence, but he spoke as he felt) were to remain unrelaxed—a system which was left and acknowledged in one quarter of the country as a boon and a bounty, and in another as an insupportable burden—a system which (it is in the language of the senator from Kentucky), it had "scattered its rich fruits" over any portion of the land, had visited others with its consuming curses.

It could not be denied that the true question here presented was, whether the protecting system was to be wholly untouched, and to be rivetted upon the country beyond all hope of relief? And, in this aspect of the question, he must solemnly declare that he considered it as one involving the prosperity, he could say, pregnant with the future destinies of this country; for, however this system may have operated elsewhere, it was the deep and settled conviction of those whom he represented, that it had acted upon them as a blight and a pestilence, blasting the fairest fields on which the eye of man had ever rested.

The gentleman from Kentucky had intimated that he had hoped that his proposition might have presented a common ground on which all parties might have met. But, how was it possible for gentlemen to suppose that we should meet on ground which involved no concession whatever to our views, but which proposed to maintain the protecting system in all its unmitigated rigor, thus aggravating instead of diminishing the inequality and injustice of which we so strongly and so justly complained. The gentleman had, indeed, said that the propriety of some reduction might, perhaps, hereafter be considered; not now, however, when the debt was about to be paid, and the tariff re-adjusted and fixed on a permanent basis, but at some future and "more convenient season." But what hope is it to be built on this declaration, when the gentleman, in the very same breath, tells us that no considerable or sudden reduction could ever take place. No, that would be destruction; and as to the gradual and moderate reduction recommended by the secretary of the treasury, that would be even worse than the other—it would, said the gentleman, be a slow and sure poison, leading to inevitable destruction. It follows, then, clearly, that we are to have no reduction of the protecting duties, whatever, either now, or at any future period. In this view of the question, he must repeat, he considered it the most awfully momentous subject that had ever been presented in the course of the history of this government; and believing that it required the greatest deliberation, he wished the attention of the senate to be seriously called to it, that it might be maturely considered, and wisely decided. In the presence of this august body, and before his God, he would repeat his deep conviction that the consequences to grow out of the adjustment of this great question involved the future destinies of this country; and in order that we should approach it with wary steps, and becoming caution, he would now move that the further consideration of the resolution should be postponed to, and made the order of the day for, Monday next.

The motion was agreed to.

GIRARD'S COLLEGE.

From the *American Daily Advertiser*.

The property absolutely settled by Mr. Girard upon the college, will produce an income of \$150,000 a year.

This will not be diminished by the buildings, or by the purchase of a library, or philosophical apparatus for the interest of the capital will pay for all the buildings, &c. &c. while they are in progress.

Suppose there be 1,000 pupils. They will be sometimes employed in farming and other labor, toward their own subsistence—and it is probably a full estimate to set down, for all the expenses of feeding and clothing and stationery, \$75 each per annum \$75,000

Suppose there be appointed

1 Provost, with a salary of	\$ 5,000
1 Vice provost, do	3,000
10 Professors, \$3,000 each	\$30,000
40 Tutors, \$300 each	12,000
Balance unexpended	25,000
	\$75,000

\$150,000

My object is not to sketch a plan for the college, but by a few calculations to show what great room there is to make this college (so manifestly endowed) the best in the United States. It is capable of supporting 1,300 pupils, and liberally providing the best talent in the country for the professorship, &c. Let us take another view of the matter:

Supposing the college fairly in operation, with 1,200 pupils. They remain, on an average, 8 years. There will be every year 150 thoroughly educated young men, (except so far as regards Greek and Latin), sent into the population of Philadelphia, to become mechanics, or to earn their bread by their own industry some other way.

In 14 years there will then be 2,000 citizens of 30 years old and under, from this college. How great will their influence be at elections! This will not be a class of persons to be made use of by trading politicians, or designing men, of any other stamp. These will not be persons who will run themselves by aspiring after fashion. It is probable that there will be many *Girards*, and perhaps some *Franklins* among them.

How great will be the influence of their example upon the under-educated persons in their own rank of life! What improvements in the arts! What discoveries in science may we not hope for from them!

How much depends upon the manner in which the princely bequest is expended! Citizens of Philadelphia, it is a subject that should daily occupy your thoughts.

[The value of the estate left is variously stated. Some estimate it as high as fifteen millions of dollars—which, at 6 per cent. would be equal to 900,000 dollars a year! But the real amount is not ascertained. We have before us a "second schedule" of his real estate devised to the city of Philadelphia—it must be worth millions—we cannot give the details, at present. It contains considerably more than one hundred houses, and a large number of tracts of lands, adjacent to the city, making up an aggregate of 610 acres, besides a farm in the neighborhood of 900 acres! We must suppose that his donation to Philadelphia, will entirely relieve the people of taxes forever,—may, allow large sums to be expended in improvements, if the legacy be managed with ordinary prudence.]

FINANCES OF NEW YORK.

From the *Albany Argus*.

COMPTROLLER'S REP. RT.

The annual report of the comptroller was made to the assembly on Wednesday. The document is two volumes, to admit of its insertion entire, while our columns are necessarily so much occupied by the other legislative proceedings. We therefore make room at the following brief abstract, as presenting in a small compass the most interesting facts in relation to the finances of the state.

The nominal capital of the general fund, as exhibited in the report, is

Dolls. 1,131,026 05

By a law of the last session, the comptroller was directed to ascertain, from an actual examination of the securities in his office, the amount of the actual value of the capital of this fund, separate from those portions included within its nominal capital, which are supposed to be doubtful, or are known to be bad. The report exhibits the real value, thus ascertained, to be

803,201 63

Leaving a difference between the nominal and real value of the capital of the fund of \$327,724 43. This difference is accounted for principally by a detailed statement annexed to the report.

The capital of the school fund is represented as being entirely sound and productive, with the exception of \$60,000 Middle district bank stock, and is stated at \$1,754,150 00

The capital of the literature fund, devoted to the aid of academies and the higher classes of schools, is represented to be also sound and productive, and is stated at *Doll.* 163,407 96

The capital of the bank fund is only the contribution of the first year after its establishment, and when but a very small portion of the capital now contributing to it was subjected to the provisions of the law establishing the fund, and is

stated at	Dolls. 25,498 73
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The total receipts into the treasury during the time covered by the report, as stated as follows:

do. Eric and Champlain canal fund	1,280,823 05
do. Oswego canal fund	19,019 44
do. Cayuga and Seneca canal	10,433 94
do. Common school fund	168,182 69
do. Literature fund	19,209 38
do. Bank fund	27,084 70

The whole amount of warrants drawn upon the treasury, during the same time, are given as follows:

do Erie and Champlain canal fund		1,250,723 05
do, Oswego canal fund		19,019 44
do, Cayuga and Seneca canal		10,043 91
do, Common school fund		104,159 39
do, Literature fund		5,681 85
do, Bank fund		1,906 33

Excess of warrants drawn over the receipts of
the year, as shown by the above

The following is given as the state of the treasury on the 30th day of September last, that being the close of the fiscal year:

Balance in the treasury on the 30th Nov. 1830,	69,893 84
Receipts into the treasury from the last date to the 20th Sept. 1831,	1,740 531 16

Dolls: 1,810,425.00

During the same period the payments from the treasury have been as follows, viz.,

Amount of warrants outstanding 30th Nov. 1830,	790 48
Amount of warrants drawn from 30th November, 1830, to 30th September, 1831, as above,	1,748 07 02

	1,748,877 50
Deduct amount of warrants outstanding on the 30th September, 1831	890 05

Leaving a balance in the treasury on the 30th Sept.
1831, applicable to the ordinary expenses of the go-
vernment, and to meet the claims of the common
schools, literature and bank lands on the treasury,
dolls. 62,437 55

Amount due from the general fund to the common school, literature and bank funds, as follows, viz:

To the common school fund, capital doll.	61,887 64
Revenue	80,662 33

To the literature fund, capital	dolls.	16 083 75
Revenue		10 905 67

	28,089 42
To the bank fund, capital	12,118 37

Dollars 181,657 70

From which deduct the balance in the treasury on
the 30th September, 1831, as above, 62,437 55

And there will remain a deficit of means in the treasury to meet the debt to specific funds of \$119,320.21 which sum constitutes the existing debt against the treasury, separate from the canal debt.

Loaned at 6 per cent.	dolls. 2,943,500 00
" " " "	4,132,840 86

Making a total of dollars, 8,055,618.76

The estimated ordinary expenses of the government

The estimated income from the general fund, composed both of capital and revenue, and applicable to these expenses, is only	112,100 00
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Leaving a deficiency in the income, from the fund applicable to it, to meet the ordinary expenses, of

Treasurer's report. The annual report of the treasurer of the state was made to the assembly on Saturday. We shall take an early opportunity to lay it before our readers. It contains a summary of the receipts and payments of the last official year, commencing December 1, 1830, and ending 30th September, 1831. The following is an abstract

<i>Receipts.</i>		dolls.
Canal—tolls, revenue, &c.		1,208,531 81
Principal and interest on bonds for lands of the general fund,		72,017 80
Principal and interest on do., common school fund		33,263 09
Principal and interest on do. of literature fund		18,858 86
Principal and interest on loans to individuals		29,322 90
First payment on sales of lands of the general school, literature and canal funds		47,896 18
Fees from state offices		1,658 78
Bank fund		27,484 70
Div. of dividends		18,115 80
Principal and interest of the loan of 1792		29,904 35
Do. of the loan of 1808		49,045 35
Articles of county taxes and interest		30,279 77
Tax on foreign insurance companies		2,867 16
Balance due from individuals		4,188 93
Sale of civil statutes		6,006 07
Military fines		1,147 96
Remission of lands sold for county taxes		10,705 78
Sales of bank stock		42,028 31
Interest on canal stock, belonging to school fund		15,262 50
In full of the bond of the corporation of Albany		61,598 83
From New York health commissioners for mariner's fund		18,197 66
Various miscellaneous sources		23,447 65
	dolls.	1,740,531 16

<i>Payments.</i>	
For salaries, governor, judicial and state officers, &c.	28,413 17
Clerk here in all the public offices	7,676 49
Legislature, including contingent expenses	75,000 80
Court of errors	3,987 80
State prison at Sing Sing	33,000 19
Transportation of convicts	9,602 09
Common relief, 11 divisions	100,000 00
Indian annuities to tribes	17,165 05
Courts martial	8,214 70
County treasurers	46,123 43
Regents of the university	5,553 16
Hospital at New York	10,875 60
Duties and discounts	5,153 02
Central asylum	1,440 80
Foreign poor in New York	4,800 00
State library	1,092 38
Printing	1,997 51
Apprehension of criminals	2,600 00
Revising and publishing laws	5,016 45
Printing	13,714 46
Common interest of the canal fund	1,378 965 48
A heavy loan company for tolls	2,882 37
Rebates on toll	3,798 71
Reimbursement of loans for county taxes refunded	11,111 91
Bank loan, for purchase of stocks, salaries of commissioners, &c.	14,966 33
Special counsel in the Morgan affair	9,722 30
Wages paid the Sing Sing cave	3,152 12
Investigation New York hospital	1,518 08
Justice's waiver fund	12,197 08
Various items of expenditure	30,991 92

The balance in the treasury on the 1st December 1830 was
 \$1,247,987 45
 plus \$9,893 84: so that the account with the treasurer stands as
 follows:—

William Keyser, in account with the state of New York DR.

dolls. 1,810,429 00

1931, Sept. 30.	To balance brought down	dolls.	62,437 53
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28,103 97

1710-89	1710-89
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dolls. 92 252 11

CR.
811. Sept. 30. By payments from 1st December

In 30, to date inclusive	1,747 087 54
Laque	62 437 33

dollars 1,810,425.10

1831, Sept. 30. By balance in commercial bank,

are deposited,	dolls.	67,419 65
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1994

THE NAVY BILL.

The following is the project of the naval committee of the house of representatives, submitted by Mr. Branch, on the 11th instant.

A bill to organize the navy of the United States.
Be it enacted &c. That the officers of the navy of the United States shall consist of not less than one admiral; two rear admiral;

rels; thirty captains; thirty masters commandant two hundred and thirty lieutenants; four hundred midshipmen, including those who have passed examination; thirty-five surgeons; fifty assistant surgeons; thirty-five purgers; twelve chaplains; twenty-five sailing masters; twenty schoolmasters; twenty-four boat-swains; twenty-four gunners; twenty-four carpenters; twenty sailmakers.

And the president of the United States is hereby authorized and required to appoint the admiral and vice admirals hereby created, by and with the advice and consent of the senate; and the other officers shall be reduced to the number above mentioned, so soon as vacancies shall occur from death, resignation, or removal; and until the number shall be so reduced, no promotions shall be made to supply such vacancies as may happen.

Sec. 3. *And be it further enacted*, That the president of the United States be, and he is hereby authorized, whenever the public service may, in his judgment require it, to increase the number of each of the classes of officers below the rank of rear admiral. *Provided*, The number of the respective classes in no case exceed the following, that is to say:

Forty captains; fifty masters commandant; two hundred and fifty lieutenants; five hundred midshipmen, including those who have passed examination; forty five surgeons; sixty assistant surgeons; forty purgers; fifteen chaplains; thirty sailing masters; twenty-five schoolmasters; thirty-five boat-swains; thirty-five gunners; thirty-five carpenters; thirty sailmakers.

Sec. 3. *And be it further enacted*, That the following, without any other pay, allowance or emolument, shall be the share pay of officers when not employed on actual service at sea, that is to say:—

Each admiral,	Dolls, 4,000 per annum
Each rear admiral,	3,000
Each captain,	2,000
Each master commandant,	1,000
Each schoolmaster engaged at a yard 750 dollars, and not at a yard, 350 dollars per annum; and the pay of all other officers shall be as heretofore fixed by law.	

Sec. 4. *And be it further enacted*, That the following, without any other pay, allowance, or emolument, shall be the sea pay, or the pay of officers when employed in actual service at sea, that is to say:

Each admiral, 5,000 dollars.
Each rear admiral, 4,500 dollars.
A captain commanding a squadron of 150 guns and upwards, 4,000 dollars.
A captain commanding a squadron mounting less than 150 guns, 3,500 dollars per annum.
A captain commanding a ship of the line, 3,200 dollars.
A captain commanding a frigate of the first class, 3,000 dollars.
A captain commanding a frigate of the second class, 2,800 dollars.
A master commandant, 2,200 dollars.
A lieutenant commanding a brig or schooner or acting as first lieutenant of a ship of the line, 1,600 dollars per annum.
A first lieutenant of a frigate, 1,400 dollars per annum.
A first lieutenant of a sloop of war, 1,200 dollars per annum.
A first lieutenant of a brig or schooner, 1,200 dollars per annum.
A sailing master of a ship of the line 950 dollars per annum.
A chaplain at sea 1,000 dollars per annum.
A boat-swain, gunner, sailmaker, or carpenter, of a ship of the line 700 dollars; of a frigate, 600 dollars; of a sloop, 500 dollars per annum.
A schoolmaster 850 dollars per annum.

Sec. 5. *And be it further enacted*, That the president of the United States shall be, and he is hereby authorized to cause such rules and regulations, not inconsistent with existing laws, as he may judge expedient for the government of the navy; for the promotion of discipline and economy; and for the observance of duty in all classes; and for securing the faithful application of the funds appropriated for the navy—to be prepared. And such rules and regulations, when approved by him, and sanctioned by congress, shall have the force of law.

The bill was read twice and committed.

LEGISLATURE OF GEORGIA.

On the 23d December the house of representatives took up certain resolutions reported by Mr. Howard, from the committee on the republic, as follows:

"The committee to whom was referred sundry resolutions from the state of Delaware, in relation to the tariff of 1828, have given to those resolutions their careful attention and beg leave to recommend the adoption of the following resolutions:

Resolved by the senate and house of representatives of the state of Georgia in general assembly met, That the tariff of 1828, does not accord with the spirit of the constitution of the United States, but (when the object and effect of the act is considered) is a palpable violation of it.

That it is impudent, oppressive, unequal, and destructive to the great leading interests of the south—pernicious and political.

That each state of the confederacy is in the full exercise of all rights of sovereignty, except such rights as have been granted to the United States, in the federal constitution.

That the right to impose duties upon articles of trade, for the protection of domestic industry, has not been granted to the federal government, by the states, in the federal constitution; nor can such right be yielded, so far as the people of Georgia are concerned.

That in case of a palpable and dangerous violation of the constitution, each state, in its sovereign capacity, has a right to judge for itself, and pronounce upon the constitutionality of the acts of the congress of the United States; and each state in its sovereign

capacity, has the right to judge of and act upon the mode as well as the nature of its redress.

That when in the course of federal legislation, it becomes necessary for a state to pronounce upon the constitutionality of an act of congress, and to prescribe to herself the mode, as well as the measure of her redress, it is a question not of right, that question being settled, but a question of expediency, having exclusive reference to the consequences which may grow out of the exertion of that right.

The first resolution was adopted, yeas 92, nays 11.

The second, third and fourth resolutions were adopted without a division.

When the 5th was read, a motion was made to lay that, and the 6th on the table for the remainder of the session, and after discussion between Messrs. Howard, Ryan, Hopkins, and Glascock, the question was taken and decided, yeas 87, nays 29.

[The fate of the 5th and 6th of these resolutions (says the Richmond Whig), is among the phenomena of the time. Undoubtedly, these two resolutions embrace the animating principle, the very heart's blood, of the Virginia and Kentucky resolutions—to deny it, is to make the doctrines of the Jefferson school all *vox et preterea nihil*—a sounding brass and tinkling cymbal. And who is it that rejects them? Georgia, of all others, the state, which besides that she has ever professed the superiority, is the only one that has actually enforced them. Under what influence has she thus acted? Fear of the name of nullification—not the thing, for that Georgia loves and practices—but fear of the name, and a wish not to injure Gen. Jackson. Never was there a more lucky hit, than christening the doctrines contended for by S. Carolina, nullification.]

This body adjourned on Saturday night, December 24, after passing a great number of acts, including the bill to abolish penitentiary imprisonment except in certain cases, and two bills for the survey and distribution of the Cherokee lands.

The report and resolutions against the rechartering of the bank of the United States, which passed the senate unanimously, were on the 23d, in the house, laid on the table for the remainder of the session. The bill for the call of a convention shared a similar fate in the senate, 37 to 31.

The first act in relation to the Cherokee lands, provides for their distribution, by lottery except the portions actually occupied by the Cherokees, and except the portions supposed to be the richest in gold mine. These last, about 1,500,000 acres in extent form the subject of the second act, which throws them into a separate lottery, to be drawn at the same time with the other. Says a correspondent of the Savannah Georgian, "it divides the reservation into lots of 40 acres, and gives to every citizen of Georgia over 18 years of age, who has resided here three years, one draw, whether he has drawn a lot previously or not, and to every married man an additional draw. The number of tickets will be about 60,000, and the price of the grants 10 dollars. All our citizens are, by the bill, permitted to have an interest and a chance for a share of this El Dorado, and the number of grants at 10 dollars will produce for the general benefit, after deducting the expenses, a fund estimated at above 300,000 dollars." This bill passed the senate by a majority of one vote only; and the house by a majority of 75 to 30.

With reference to the leading subject mentioned above, we copy the following from the "National Intelligencer" of Saturday last—

The legislature of the state of Georgia has adjourned after a tempestuous session. The most important act of the session is one providing for the survey and occupancy of the land belonging to and occupied by the Cherokees. The Recorder, a journal of high standing in the state, boldly arraigns this act as "unjust, if not impolitic," "injurious to the character of the state, and dangerous to the harmony of the union," and what seems to be considered an almost equally important objection, as "calculated to embarrass the president of the United States." The Recorder further states that "the more prudent and respectable portion of the citizens of Georgia, with but few exceptions, are decidedly opposed to a forcible survey and occupancy." Notwithstanding all which, instead of trusting to the sense of honor and to the humanity of the people of Georgia, to demand a revision of the legislature, and a revocation of this unjust, unwise and unkind—the president act, what does the recorder propose? The reader will see by the annexed extract. This act is unjust, impolitic, dangerous and dangerous to the union, it is to be what? Consumption in an act of congress! As if the higher wrong would cancel the lower!

"In this state of things, would it not be proper for the present congress to arrest the evil by saying to the Cherokees, you must and shall sell to the United States, for the use of Georgia—we will give you not merely a fair price, but a liberal one—we will remove all who choose to emigrate, at the public expense—such of you as prefer to remain may take moderate recompense with the privilege of selling to the whites, and the government will pay into the treasury of Georgia the fair value of all such reserves. This is, in our opinion, a most proper subject for the action of congress—for its speedy and effectual action. It is surely better that congress should compel the Indians to remove, treating them at the same time with equity and liberality, than that a fearful conflict should be permitted to ensue between this state and the general government—and of this we apprehend serious danger."

It is no more than due to the editor of the Recorder to state that, notwithstanding this suggestion, he follows it with a vigorous, manly and eloquent appeal to those principles on which, for ourselves, we are willing to rely for a remedy for whatever wrong the legislature has just done.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 22—VOL. V. BALTIMORE, JAN. 28, 1852. [VOL. XLII. WHOLE No. 1,062

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

☞ The excessive length of Mr. Hayne's speech in reply to Mr. Clay, has hardly left room even for an abbreviated journal of the proceedings of congress, and compelled me to omit, (among many other interesting articles), certain speeches of Messrs. Davis, Combreng, Appleton and Huntington, of the house of representatives, on matters not less interesting than Mr. Hayne has presented. An effort, however, shall be made to bring up the lee-way as soon as possible.

It will be observed, that Mr. Hayne has made a "lame and hapotent" attack upon me; not because the distinguished gentleman, (like others who have introduced my humble name on the floor of congress), lacked ability to enforce against me the most ample pressure of any wrong committed by me,—but for the reason that, like others, he had misapprehended and misstated me in his speech in the senate, and had not the ability to make his speech, for the press, read as smoothly as it would have done, had not that misapprehension or mistake have happened. Every careful reader will observe a *patch* on what is said about me, or discover a *rent* in the argument; and for what I am charged as having uttered, I shall give Mr. Hayne the first rate anti-tariff authority for having said it rightlully. But room cannot now be obtained to render justice either to myself or Mr. Hayne. He has left it decorous to introduce me to the senate,—and must be supposed the best judge of what is due to the dignity of that body, which should be the most honored of any legislative assembly in the world,—and will not have reason to complain, if I shall do more than defend myself in the matters stated.

As by Mr. Hayne's own shewing, it is possible some may be led to believe, that, by the simple act of publishing his speech I adopt his opinions—it may be proper to warn my readers against an impression so erroneous!—for, however incomprensible it may be to Mr. Hayne, my object in publishing his speech is that the people may have *both sides* of the argument. If I feared his logic—that object would still be pursued. But I have no more fear that his argument will capsize the American System—than that his witness, John Sarchett, a British subject, will be accepted by the American people, as their dictator in questions of national policy.

☞ The nomination of Mr. Van Buren, as minister to Great Britain, has been rejected by the senate, (forty-six members being in their places), by the casting vote of the vice-president. After the ratification of certain other nominations of *extraordinary* ministers, there is no doubt that Mr. Van Buren's nomination to Mr. McLane led to this very uncommon act of the senate. The whole merits of the case will, however, soon be made known—as the injunction of secrecy has been removed from all the proceedings. Messrs. Prentiss and Bibb were the absent members—the former confined by indisposition. Had both been present, the result would have been the same.

BRIFE NOTICES—THINGS IN GENERAL.

On Tuesday last there arrived at Baltimore on the rail road, 51 wagons, laden with 982 bbls. flour, 46 bags wheat, 14 tons wool, 66 tons nails, 3 tons bark and 15 tons granite—and 60 passengers. Departed 46 wagons laden with coal, iron, brick, furniture and merchandise, and 55 passengers. During the week ending January 23, the flour received on this road, amounted to 4,462 barrels, on an average of 634 barrels a day.

Another revolution appears to have taken place in Central America—a col. Dominguez was at the head of the new party.

Several vessels lately passed through the Chesapeake and Delaware canal. It was expected that the steam boats between Baltimore and Philadelphia would resume

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business on Monday next—but the cold weather has nullified that expectation.

The slave question is yet in full debate before the Virginia house of delegates. It seems probable that "something will be done." The declining condition of the state is plainly seen, and the real cause of a freely acknowledged, by many. The tariff has nothing to do with it—on the contrary, in the eastern demand for the products of the agriculture of Virginia, *impedes* the progress of emigration from the state.

We have awful accounts of the ravages of the cholera at Smyrna. Persons are attacked in the streets, and sometimes dead in 15 minutes! The physicians had fled, and business was suspended. The lowest classes of society and especially the intemperate, had suffered most.

There has been a serious movement among the slaves of Jamaica, and martial law had been proclaimed. Many plantations were destroyed by fire; on other estates, the slaves had refused to work. A negro preacher is charged with being at the head of the plot.

A terrible fire has taken place at the island of St. Thomas. It was computed that 1,200 buildings had been destroyed, and that the loss of property amounted to two millions of dollars, much of which was American. It was thought to have been the work of an incendiary.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

January 20. Among the petitions presented this day was one from sundry merchants, &c. of Philadelphia, praying a repeal of the duty on indigo.

Mr. Clay submitted the following resolutions:

Resolved, That the secretary of the treasury be directed to communicate to the senate any correspondence which may have passed between the treasury department and the collectors of the customs, or either of them, shewing the construction which has been placed by that department upon the act entitled "an act to amend the several acts imposing duties on imports," approved the 24th May, 1824, or upon any other act of congress, imposing duties on imports, passed since that day, including the acts of the 19th day of May, 1820. (Agreed to next day.)

Mr. Benton rose to ask leave to introduce the following resolution, of which he had given notice some days ago, viz:

A joint resolution declaratory of the meaning of the charter of the bank of the United States, on the subject of the paper currency to be issued by the bank.

Be it resolved by the senate and house of representatives of the United States of America in congress assembled, That the paper currency, in the form of orders, drawn by the presidents of the offices of discount and deposit, on the cashier of the bank of the United States, is not authorized by any thing contained in the charter, and that the said currency is, and is hereby declared to be, illegal; and that the same ought to be suppressed.

Mr. Benton earnestly supported his resolution—he attached the opinion of judge Baldwin, lately delivered on the subject. He was followed by Mr. Dallas and a general debate ensued, Messrs. Dallas, Buckner, Chambers, Webster, Wilkins, Clayton, Bibb and King opposing, and Messrs. Benton, Forsyth, Miller, Marcy and Kane supporting the resolution. Finally, between 4 and 5 o'clock, the question was taken on granting leave to introduce the resolution, and it was decided in the negative, by the following vote:

YEAS—Messrs. Benton, Dudley, Ellis, Forsyth, Grundy, Hayne, Hill, Kane, Mangum, Marcy, Mislet, Moore, Tazewell, Troop, Tyler, White—16.

NAYS—Messrs. B-H, Bibb, Buckner, Chambers, Clayton, Ewing, Foot, Frelinghuysen, Hendricks, Dallas, Holmes, Johnston, K-g, Knight, Neudam, Prentiss, Robbins, Robinson, Seymour, Sillbet, Smith, Tipton, Tomlinson, Webster, Wilkins—28.

So even the leave was refused, and then the senate adjourned to Monday.

January 25. A good deal of current business was attended to. Mr. Benton submitted a new set of resolutions about the bank of the United States. Certain resolutions were also offered by Mr. Foot and Mr. Moore.

The senate then proceeded to the consideration, as the special order of the day, of the resolution offered by Mr. Clay, on the subject of the tariff, the question being on the motion submitted by Mr. Hayne; when

Mr. Dickerson rose and addressed the senate in an argumentative speech of considerable length, in reply to Mr. Hayne, and in opposition to the amendment. When Mr. Dickerson had concluded,

Mr. Smith said, that he was perfectly ready to go on with the debate, should the senate so determine; but, as another subject had been set apart for to-morrow, and the general attendance of the senators requested for it, he thought it would be better to postpone further proceedings, with regard to the resolution under consideration, to Wednesday next. The resolution was then postponed to, and made the order of the day for Wednesday next. The senate then adjourned.

January 24. Petitions were presented by Messrs. Clayton, Sprague, Hill, Chambers, Robbins, Dallas and King.

Mr. Hayne presented the memorial from the members of the South Carolina legislature, opposed to nullification, against the tariff—read, ordered to be printed, and referred to the committee on finance.

Several reports were made on private claims.

Mr. Clayton submitted the following resolution:

Resolved, That the committee on commerce be instructed to inquire into the expediency of embanking the parcel of land ceded by the State of Delaware to the United States, for a light-house at the mouth of Mason's river and the western shore of the Delaware bay; and of appropriating the unexpended balance of the sum formerly appropriated for the erection of said house, for the construction of a road therefrom to the fort land.

Mr. Niles submitted the following resolution:

Resolved, That the committee on commerce be instructed to inquire into the expediency of discontinuing some of the custom house charges to which vessels and merchandise upon their entry and clearance are now subjected.

The resolutions moved yesterday by Mr. Benton relative to the United States bank, were considered and agreed to—as also those moved by Mr. Moore.

Mr. Tipton submitted the following resolution, which was read and laid on the table:

Resolved, That the select committee to which was referred the memorial of the president and directors of the bank of the United States, praying for a renewal of their charter, be instructed to inquire into the expediency of restricting the bank, if re-chartered, from holding, or in any way acquiring, real estate, to a greater extent than is necessary for banking purposes.

On motion of Mr. Forsyth, the senate proceeded to the consideration of executive business, and, when the doors were opened, the senate adjourned.

January 25. Various petitions and memorials were presented and appropriately referred.

Mr. Benton laid on the table several resolutions calling for various information respecting the management and operations of the bank of the United States.

The resolution offered some days ago by Mr. Foot, to amend the rules of the senate to restrain debate in certain cases, was taken up, and after debate, at the instance of Mr. Benton, was laid on the table, and ordered to be printed.

The resolution submitted heretofore by Mr. Clay, proposing certain modifications of the tariff, coming up as the special order—

Mr. Forsyth moved its postponement to Monday next, in order to go into executive business—Some conversation ensued—when the motion to postpone was withdrawn, passing by the resolution; a motion to that effect prevailing.

The senate proceeded to executive business, and sat till near six o'clock with closed doors, and then adjourned.

January 26. Mr. Murcy, of N. York, presented the memorial of David Henshaw, and others, citizens of Massachusetts, praying that when the present charter of the bank of the U. States expires, that they may be permitted to establish a similar bank, with certain specified conditions, &c.—ordered to be printed.

Mr. Ewing laid the following resolutions on the table for consideration:

Resolved, That the practice of removing public officers by the president, for any other purpose than that of securing a faithful execution of the laws, is hostile to the spirit of the constitution—was never contemplated by its framers—is a daring extension of executive influence—is prejudicial to the public service—and dangerous to the liberties of the people.

Resolved, That it is expedient for the senate to advise and consent to the appointment of any person to fill a supposed vacancy in any office occasioned by the removal of a prior incumbent, unless such prior incumbent shall appear to have been removed for sufficient cause.

On motion of Mr. Benton, the resolutions were ordered to be printed.

The senate then proceeded to the consideration of executive business; and after some time spent, adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 20. Mr. Drayton reported the bill from the senate, without amendment, entitled "an act for the organization of the ordinance department."

Mr. Wickliffe, from the committee on public lands, reported the following resolution:

Resolved, That the president be requested to communicate to this house, if in his power to do so, the number and probable value of the Indian reservations made by the treaty concluded between the United States and the Choctaw nation of Indians on the 27th September, 1830; whether any, and what contracts for the purchase of said reservations have been made; by whom made, and the sum paid; whether any contracts made for the purchase of said reservations have been confirmed or rejected; and by whom such confirmed or rejected purchases have been made; and whether any leave or authority has been given by the executive to any person or persons to make purchases of said reservations, and the names of such authorized persons.

Mr. Root from the committee on agriculture, to whom was referred a letter from Peter S. Dupont, of Philadelphia, on the culture and manufacture of silk, made a report thereon, accompanied by a bill for promoting the growth and manufacture of silk; which bill was twice read and committed.

Mr. Archer, from the committee on foreign affairs, to which was referred the memorial of the board of health of the city of New York, made a report thereon; which was read, and the resolution therein recommended was concurred in by the house.

The house resumed the consideration of the resolution moved by Mr. Bouldin, on the 27th ult. the question being on the amendment moved by Mr. Davis, of Mass. on the 18th inst.

Mr. Mitchell, of S. C. rose to address the house in support of the resolution, and in opposition to the amendment. He had said but a few words, when

Mr. Davis stated that it was his purpose to modify the amendment he had offered, and he modified it accordingly.

So as to make the whole amendment when modified, read as follows:

Strike out all before and after the word "resolved," and insert the following, viz:—"That the committee on manufactures be instructed to inquire into and report to this house, (if they possess the information), the practical effect of the revenue laws upon the commerce, agriculture and manufactures of this country. Designating the manner in which the sum upon which the duties are assessed is made up; and, also, the per centage assessed upon goods subject to the square yard duty, and whether any goods are prohibited by the amount of duties; also, whether frauds are not perpetrated in the importation of goods, and the revenue thereby reduced; and how such frauds may be suppressed; also, whether the statute value of the pound sterling ought not to be so modified as to conform to the actual value in the United States; and to accompany their report, if they shall make one, by the evidence upon which it shall be predicated."

Mr. Mitchell then resumed, and continued to occupy the floor until the hour having expired, he was arrested by a motion from

Mr. Hittetree, that the house proceed to the business on the speaker's table.

The speaker presented a memorial from the bank of Pennsylvania, in favor of re-chartering the bank of the United States.

The memorial was read; when

A motion was made by Mr. Wickliffe, that the said memorial be referred to the committee of ways and means, with instructions to report a bill to incorporate a new banking company, to take effect and go into operation after the expiration of the charter of the bank of the United States, reserving one third of the capital in said bank for the United States, together with a sufficient

bonus on the charter; one-third to be subscribed for by such of the stockholders in the present bank as may be citizens of the United States as may desire so to invest their surplus capital. That they also inquire into the expediency of prohibiting the bank from dealing in, or holding real estate, except for the mere purposes of banking houses and houses necessary for the transaction of the business of the company; of prohibiting the location of any branch in any state without the consent of the legislature of such state. And also, of so forming the charter that the legislatures of the several states shall and may exercise the power, when they deem it expedient to do so, of imposing a fair and reasonable tax upon the capital employed in any bank or branch of said bank within the jurisdiction of such state; and also to subject the said corporation to be sued in the district or circuit court in any state where they may have a branch located, and the cause of action accrued.

Some debate followed, in which Messrs. *Carson*, *Wickliffe* and *McDuffie* took part. The resolution was agreed to.

Saturday, Jan. 21. Mr. *Clayton*, member from Georgia, appeared, was qualified and took his seat.

Mr. *Hubbard*, reported the bill from the senate concerning revolutionary pensions, without amendment.

The house then proceeded to the consideration of the resolution moved by Mr. *Bouldin*, on the 27th ult.

The debate was resumed and continued with much spirit until the hour at which the house usually adjourns, the house having, in the course of the debate, negatived a motion of Mr. *Whittlesey*, of Ohio, to proceed to the orders of the day.

[A pretty full report of this debate, (now excluded by the great length of Mr. *Hayne's* speech) is laid aside, and shall be registered. Mr. *Davis's* speech is very able and highly interesting.]

The question recurred on the amendment moved by Mr. *Davis*, of Massachusetts, as modified yesterday; and, after debate, the question was put that the house do agree to the said amendment, and passed in the affirmative—Yeas 100, nays 81.

Adjourned to Monday.

Monday, Jan. 23. Mr. *Drayton* presented a memorial from the members of the legislature of South Carolina opposed to nullification, praying relief from the tariff—referred to the committee on manufactures.

After attending to much current business, the house again took up the resolution of Mr. *Bouldin*, in the course of which a spirited debate took place, Messrs. *Cambreleng*, *Appleton* and *Huntington*, &c. taking part. [We have laid this debate aside for insertion.] Finally, Mr. *Bouldin's* resolution, as amended by Mr. *Davis*, by striking out all *before* and all after the word "resolved," &c. was agreed to by yeas and nays: for it 127, against it 59.

Tuesday, Jan. 24. The following resolution, submitted on the 12th inst. by Mr. *Jenifer*, was considered:

Resolved, That a select committee be appointed to inquire into the expediency of making an appropriation for the purpose of removing from the United States, and her territories, the free people of color, and colonizing them on the coast of Africa, or elsewhere.

Mr. *Alexander* moved to lay the resolution on the table.

On this question, the yeas and nays, were ordered.

The motion was then negatived; yeas 71, nays 104.

Mr. *Jenifer* explained the object of the resolution, but the crowded state of our columns only permits us to give a very brief synopsis of his remarks, and of those made in reply. He said, this population was considered both in the slaveholding, and the non-slaveholding states, as a great evil—that it endangered the public tranquility, and that the preamble to the constitution of the United States, containing the reasons for adopting it, seemed to contemplate such a case—that the action of congress was impatiently expected upon the subject, both by the citizens in public meetings, and by the legislature of the state of Maryland. The present time was favorable—the interest and happiness of the slave population required it—the cords of discipline were obliged to be drawn harder about the slaves, from the presence of this population among them. This population had now

no privileges but that of mere existence. If nothing was done by congress, the states would be obliged to prohibit emancipation—and pass laws expelling them from the states having slaves. Would they be patiently received by the non-slaveholding states? He hoped measures would be adopted to place this section of our population in a situation to rise above their present debased and depraved condition.

Mr. *Coke* said, the gentleman might feel justified in his own mind for presenting this subject to the house, by the measures adopted in his own state—but he thought many considerations might have induced him to a different course. He was ready to go into a consideration of the constitutional right of the United States to remove this population; and made some remarks upon the extension of powers derived from that instrument. He did not profess to understand the gentleman's humanity when he proposed to exercise it by tearing these persons from their connexions and native soil, and bringing what they regarded as punishment and ruin upon them for no offence but being born in a civilized community. He thought there were already a sufficient stock of exciting questions before the house, without the addition of this, which could not fail of raising a strong feeling when it was proposed to appropriate money for the exclusive benefit and security of eight or nine states in the union. He pointed it out as an extraordinary fact that the members from those states had mostly voted against taking up the subject—while those who had no interest in the subject, had as generally voted in favor. He thought there must be some mistake as to the interests of the south. There was no fear entertained there on account of the slave population. No man who did his duty to his slaves had any real ground for fear. Virginia had been settled two centuries—there had been but one insurrection—that in Southampton, which was excited by a single individual—a religious fanatic—and there was no apprehension of the renewal of those scenes. He said the legislature of both the states from which the gentleman and himself came, had commenced their sessions since they had left home. For himself he was at this time uninformed of the wishes of his constituents—and was opposed to the taking up the subject except at the desire of those most interested in it. When Mr. *Coke* concluded his remarks,

Mr. *Polk* moved to proceed to the consideration of the business on the speaker's table, and the orders of the day; which was agreed to.

The bill authorizing the secretary of the treasury to compromise the claim of the U. S. on the commercial bank of lake Erie, was read the third time and passed.

The appropriation bill was taken up, and Mr. *Wilde* spoke in favor of a small ratio. The committee rose before he concluded, and the house adjourned.

Wednesday, Jan. 25. Mr. *Whittlesey* reported without amendment the bill from the senate providing for the final settlement of the claims of states for interests on advances to the U. States during the late war.

Mr. *Ellsworth* reported a bill for the relief of certain insolvent debtors of the United States; twice read and referred.

Mr. *McDuffie* reported a bill to authorize the president of the United States to direct the transfers of certain appropriations in the naval service, under certain circumstances—twice read and committed.

The house resumed the consideration of the resolution moved by Mr. *Jenifer*, on the 12th inst. in relation to colonizing the free persons of color of the U. States—which, on motion, was postponed until to-morrow.

Mr. *E. Everett* reported a bill making an appropriation to procure copies of historical documents from the public offices in Great Britain—

On motion of Mr. *Wing*, it was

Resolved, That a select committee be appointed, whose duty it shall be to inquire into the expediency of providing by law for the payment of property destroyed by the British troops and their savage allies, during the late war, in violation of the articles of capitulation, entered into between generals Hull and Brock at the surrender of Detroit; and that said committee be authorized to report by bill or otherwise.

On motion of Mr. *Briggs*, it was

Resolved, That the committee on military affairs be directed to inquire into the expediency of providing by law for the appointment of chaplains for the army of the United States.

The following resolutions were offered, and lie over one day.

By Mr. Huntington, of Conn.

Resolved, That the president of the United States be requested to inform this house whether any part, and, (if any), what amount of the sum of five hundred thousand dollars, appropriated by the act, approved May 28, 1830, entitled "an act to provide for an exchange of lands with the Indians residing in any of the states or territories, and for their removal west of the river Mississippi," has been expended, and the particular objects to which such expenditures have been applied; the names of the agents who have been employed in the execution of the aforesaid act, the duties specifically required of and the instructions given to them, and the compensation paid, or to be paid to them respectively; also the terms of the contracts, (if any have been made), for the removal of any Indians in pursuance of said act; and the names of the persons with whom such contracts have been made, and the time when and the place where made.

By Mr. Everett, of Mass.—

Resolved, That the president of the United States be requested to communicate to this house a copy of the treaty negotiated with the Chickasaw tribe of Indians in the year 1830.

By Mr. Jarvis,

Resolved, That the secretary of the navy be directed to inquire whether the present navy ration may not be altered, without increase of expense, so as to increase the comforts of the seamen, and advance the good of the service, by reducing the quantity of whiskey and bread, and substituting tea, sugar and tobacco, and by giving an increased ration of butter, instead of the ration of cheese.

By Mr. C. P. White,

Resolved, That the secretary of the treasury be directed to communicate to this house the invoice of prime cost in the countries from whence imported, of each and every article of goods, wares and merchandise, (and as far as is practicable the invoice cost of the various descriptions of the same article or articles), imported into the United States, paying ad valorem or specific duties; with the amount of duty paid on each article aforesaid, for the years ending 1802, 1803, 1804, 1817, 1818, 1819, 1820, 1825, 1827, 1829, 1830, 1831.

Resolved, That the secretary of the treasury be directed to communicate to this house the aggregate invoice or prime cost in the countries from whence imported, of all the goods, wares and merchandise, imported into the United States, paying ad valorem or specific duties, or free of duty, in each year, from the 30th September, 1820, to the 30th September, 1831.

Resolved, That the secretary of the treasury be directed to communicate to this house, in the "annual report of commerce and navigation of the United States," the invoice of prime cost of the goods, wares and merchandise, imported into the United States, as well as the official value upon which the duties are now estimated.

A motion was made by Mr. Pendleton, that the house do now proceed to the consideration of the resolutions submitted by him on the 31 January, instant, relative to the judiciary; and, pending the question on this motion, the house, on motion, proceeded to the orders of the day; and

An engrossed bill, entitled "an act authorizing a revision and extension of the rules and regulations of the naval service," was read the third time and passed.

The house on motion of Mr. Polk, again went into committee of the whole, Mr. Hoffman, of New York, in the chair, and resumed the consideration of the apportionment bill.

After several gentlemen had spoken on the amendment of Mr. Hubbard, to insert 44,000 instead of 48,000, as the ratio of representation, which motion was negatived by a vote of, ayes 81, noes 105.

Mr. Wickliffe now moved that the committee rise and report the bill to the house.

Mr. Howard, of Maryland, said he had an amendment which he felt constrained to offer, however reluctant to detain the committee. He then moved to strike out the 3d, and insert the 6th of March, in the bill: the effect of which amendment, if adopted, would be to give to the several states at the next presidential election, the weight they possess at present, and not that to which they will be entitled under the new census.

Mr. Howard commenced a course of remarks in support of his motion; but very shortly yielded to a motion that the committee rise. So the committee rose, &c.

Thursday, Jan. 25. Mr. Archer reported a bill for giving effect to a commercial arrangement between the U. States and the republic of Columbia—twice read and committed.

Mr. Jenifer's resolution relative to colonizing free persons of color, was taken up and postponed until tomorrow.

The resolutions of Mr. White, of N. Y. moved yesterday were considered, modified and passed.

A message was received from the president concerning the amount of expenditures for breakwaters, &c.

The house refused to consider Mr. Pendleton's resolutions relative to the powers of the supreme court.

The apportionment bill was again considered in committee of the whole—the committee finally rose and reported the bill to the house—the house then adjourned.

DEBATE ON THE TARIFF.

In senate, Monday, January 16, 1832.

The senate resumed the consideration of the special order of the day, being the following resolutions submitted by Mr. Clay.

Resolved, That the existing duties upon articles imported from foreign countries, and not coming into competition with similar articles made or produced within the United States, ought to be forthwith abolished, except the duties upon wines and silks, and that those ought to be reduced.

Resolved, That the committee on finance be instructed, to report a bill accordingly.

Mr. Hayne moved to amend the first resolution, by striking out all after the word "countries" in the second line, and insert the following:

"Be so reduced that the amount of the public revenue shall be sufficient to defray the expenses of government according to their present scale, after the payment of the public debt; and that, allowing a reasonable time for the gradual reduction of the present high duties on the articles coming into competition with similar articles made or produced within the United States, the duties be ultimately equalized, so that the duty on no article shall, as compared with the value of that article, vary, materially, from the general average."

Mr. Hayne addressed the senate in support of his proposition as follows:

The senator from Kentucky, (Mr. Clay), commenced his remarks a few days ago, by complaining of the advances of age, and mourned the decay of his eloquence, so eloquently as to prove that it was still in full vigor. He then went on, sir, to make a most able and ingenious argument, amply sustaining his high reputation as an accomplished orator.

With this example before me, Mr. President, (said Mr. H.) I am almost deterred from offering any apology, lest I should create expectations which it will certainly not be in my power to gratify. And yet, perhaps, it may be permitted to one so humble as myself to say, that it belongs not to me at any time, or under any circumstances, and, least of all, at this moment, and on this occasion, to satisfy the expectations of those, if any such there be, who may have come here to witness the graces of oratory, or to be delighted with the charms of eloquence, I would not sir, on this occasion, play the orator if I could. I came here to-day for higher and far nobler purposes. I stand on this floor as one of the representatives of a high-minded, generous and confiding people, whose dearest rights and interests I am now to vindicate and maintain. In such a situation, I would lose every thought of myself in the greatness of the cause. Confiding in the indulgence of the senate, and deeply sensible of my inability to do justice to the important subject embraced in these resolutions, I shall proceed at once in the plain, unadorned language of soberness and truth, to the examination of the question before us.

The gentleman from Kentucky set out with the declaration, that he did not deem it necessary to offer any arguments in favor of the American system, "that the protecting policy stands self-vindicated—that it has scattered its rich fruits over the whole land, and is sustained by the experience of all powerful and prosperous nations." Sir, we meet these positions at once by asserting, on our part, that the protecting system stands self-condemned; condemned in our own country; by the devolution which has followed in its train, and the discontents it has produced—condemned by the experience of all the world, and the almost unanimous opinion of enlightened men in modern times. And now, having

fairly joined issue with the gentleman, we might put ourselves upon the country, and submit the case, without argument, nor should I have any fears for the result, if the issue was to be tried and decided by an impartial tribunal, free from the disturbing influence of popular prejudice and delusion, and the strong bias of interests, personal, pecuniary and political. But situated as we are, I feel and acknowledge the necessity of making out our case to the conviction of this assembly, and the satisfaction of the country. We are seeking relief from an abiding evil—redress from an existing wrong. We cannot stand where we are. We cannot, like the gentleman from Kentucky, rest on mere unsupported assertions. We must submit our proofs and maintain our positions if we can. It is greatly to be regretted, however, that the gentleman has not seen fit to present some of the strongest arguments in favor of his policy, as such a course might have directed our inquiries to a few leading points, instead of making it necessary for us to wander at large through the wide field of argument presented by the protecting system. The gentleman, however, has so far favored us as to specify two of the advantages which he asserts have been derived from it in this country, and in our day, and I am perfectly willing to try the merits of the system by those tests which he has himself proposed. They shall—if the gentleman pleases—constitute the standard by which its true character shall be determined. In the first place, then, the gentleman asserts, "that the much abused policy of 1824, (the protecting tariff of that year), has filled our coffers and enabled us to pay off the public debt," a debt of \$100,000,000 of principal, and \$100,000,000 of interest. Now, sir, if any thing is capable of demonstration it may be demonstrated, that the protecting system could not, by possibility, have contributed in the slightest degree to produce this result. One would suppose, indeed, that the very last merit which would be ascribed to this system, was its tendency to fill the "public coffers." It is unquestionably to a tariff, arranged and adjusted with a single eye to revenue, that we are to look for such a result. The object of a protecting tariff, as such, certainly is to diminish or exclude importations, and of course to lessen the amount of revenue derived from duties. The very end and aim of such a system is, to substitute for the imported article, *paying taxes to government*—the domestic article *paying none*—to transmute the duty into a bounty to the manufacturers; and, just so far as this end is attained—that is to say, just so far as the tariff is *protective*, must it cut off the public revenue. Do we not all remember, that the leading argument in favor of the protecting provisions of the tariff of 1824, was, that they were necessary, "to put down a ruinous foreign competition;" and did not one of the fathers of that bill publicly declare, "that the vital principle of the system was, that the nation should command its own consumption, and that when the national command its own consumption, importations and imposts would cease." Sir, there are two distinct features in the tariff of 1824—revenue and protection. It is the former that has filled your coffers and paid off the public debt; and so far as the latter has operated at all, it must have diminished the revenue, and delayed the extinction of that debt. Sir, I will put it to the candor of the gentleman, whether, if the protecting duties under the tariff of 1824, had been less, the revenue would not have been greater, and that, too, without adding to, but on the contrary, diminishing the burthens of the people, since they would have obtained the articles of their consumption, in increased quantities, and at a cheaper rate, and been relieved from the heavy tax which they have been compelled to pay to the American manufacturers? Why, sir, the policy of 1824 actually taxed to prohibition a large amount of goods formerly imported. From a report made by the secretary of the treasury, in January, 1830, it appears that these prohibited articles amounted to about \$8,000,000 per annum, being near one sixth part of the whole of our imports. Has this part of the policy contributed to fill your coffers? Sir, the case is too plain for further argument, and tried by this test, the policy must be utterly condemned.

The next test by which the gentleman proposes to try this system, is "the rich fruits which it has scattered over the country." Sir, where are they to be found?

Is it in the west? I appeal to the gentlemen from that quarter. We have heard a great deal of the flourishing condition of the manufacturing establishments elsewhere; but where are the manufacturing villages, the joint stock companies, the splendid dividends, and other evidences of prosperity to be found in the west? I submit it to the candor of the gentlemen, whether the benefits of the protecting system, so far as the west is concerned, do not still rest in *hope*—whether the system would be sustained a day, if it were not for its supposed connection with *INTERNAL IMPROVEMENTS*—whether it is not indebted for its popularity, in that quarter, to the unhappiness, the fatal marriage between the tariff and internal improvements—a union which I yet hope to see dissolved. It was a *left handed*—an unlawful marriage, and surely those whom God hath not joined, man may put asunder. Sir, there are doubtless some flourishing manufactories scattered here and there throughout the western country—chiefly confined, however, to situations beyond the reach of foreign competition, and owing nothing to the protecting system. But the west has not been rendered prosperous by these establishments. I appeal confidently to their actual condition at this time. With regard to the gentleman's own state, I will apply a test which cannot deceive us. When the policy of '24 was before congress, the senator from Kentucky stood forth as its champion, and it was my lot to attempt to answer his arguments. It is true, sir, that his speech was made in the other house, and mine on this floor; but his argument had been sent forth as the manifesto of the party—it was printed in pamphlet and laid on the tables of the senators, and, embodying the views of the tariff party, it was impossible for me to pass it over. I well remember, therefore, that, on that occasion, the gentleman argued, that Kentucky was to participate in the protecting system by raising large quantities of *hemp*, and supplying the southern states with cotton bagging,—and he strongly insisted that she was then only prevented from so doing, by the ruinous competition of the inconsiderable Scotch towns of *Liverness* and *Dundee*. And what is it, sir, that we hear now—after the lapse of eight years? The old story repeated. Kentucky, still deprived of the benefits of the protecting system by those formidable rivals, *Liverness* and *Dundee*. They still constitute "the lion in the path," and foreign manufacturers ever will be "a lion in the path" to those whose prosperity depends on the protecting system. We know that the manufacture of cotton bagging is a simple process, requiring hardly any skill or capital, and yet the great state of Kentucky cannot get along with it, in consequence of the formidable rivalry of two miserable Scotch towns, the inhabitants of which are said to be so poor and destitute, that they are obliged to import their fuel, and send to Dantzic, twelve hundred miles up the Baltic, for their hemp, paying a freight equal to the first cost. It is perfectly clear, therefore, that Kentucky has not realized the promised blessings of the protecting system; and, I am told, this is substantially true of the whole west. But, sir, if the west has gained nothing by the system, she has had her share of the taxes which it imposes—she has paid her proportion of duties to the government, and bounties to the manufacturers; and, in consequence of the three calamities which the system has inflicted on the south—blowing our commerce and withering our prosperity—the west has very nearly been deprived of her *best* customer. When the policy of '24 went into operation, the south was supplied from the west, through a single avenue, (the Saluda Mountain Gap), with live stock, horses, cattle and hogs, to the amount of considerably upwards of a million of dollars a year. Under the pressure of the system, this trade has regularly been diminishing. It has already fallen off more than one half, and from an auspicious return, now before me, it appears that it has been further diminished near one hundred and fifty thousand dollars during the last year. So much for the rich blessings bestowed upon the west by the protecting system.

We come now to the *south*. If any portion of the rich fruits of this system have been scattered there, they have not fallen under my observation. Sir, we know them not—we see them not—we feel them not. It may be supposed, however, that we are too full of prejudice, or too ungrateful, to acknowledge the blessings it

has bestowed upon us. Sir, we have heard of men having honor thrust upon them, and perhaps there may be such a thing as having benefits thrust upon an unwilling people: yet I should think, that even in such a case, they would soon become reconciled to their lot, and submit to their fate with a good grace. But, I assure the gentlemen, that the condition of the south is not merely one of unexampled depression, but of great and all-pervading distress. In my own state, the unhappy change which has within a few years past taken place in the public prosperity, is of the most appalling character. If we look at the present condition of our cities, (and I will take Charleston by way of example), we find every where the mournful evidence of premature decay. Sir, the crumbling memorials of our former wealth and happiness, too eloquently teach us, that, without some change in your policy, the days of our prosperity "are numbered." Sir, it is within my own experience, that, in the devoted city in which my lot has been cast, a thriving foreign commerce was, within a few years past, carried on *direct to Europe*. We had native merchants, with large capitals, engaged in the foreign trade. We had thirty or forty ships, many of them built, and all owned in Charleston, and giving employment to a numerous and valuable body of mechanics and tradesmen. Look at the state of things now! Our merchants bankrupt or driven away—their capital sunk or transferred to other pursuits—our shipyards broken up—our ships all sold!—yes, sir, I am told the very last of them was, a few months ago, brought to the hammer—our mechanics in despair; the very grass growing in our streets, and houses falling into ruins; real estate reduced to one third part of its value, and rents almost to nothing. The commerce, which we are still suffered to enjoy, diverted from its proper channel, carried on with borrowed capital, and through agents sent among us, and maintained by the tariff policy, bearing off their profits to more favored lands, eating out our substance, and leaving to our own people the miserable crumbs which fall from the table of their prosperity. If we fly from the city to the country, what do we there behold? Fields abandoned; the hospitable mansions of our fathers deserted; agriculture drooping; our slaves, like their masters, working harder, and faring worse; the planter striving, with unavailing efforts, to avert the ruin which is before him. It has often been my lot, sir, to see the once thriving planter reduced to despair; cursing his hard fate, gathering up the small remnants of his broken fortune—and, with his wife and his little ones, tearing himself from the scenes of his childhood, and the bones of his ancestors, to seek, in the wilderness, that reward for his industry, of which your fatal policy has deprived him.

Sir, when we look at our fertile fields, and consider the genial climate with which God has blessed the south—when we contemplate the rare felicity of our position, as the producers of an article, which, under a system of free trade, would command the markets of the world—is it not enough to fill our hearts almost to bursting to find the richest blessings that an indulgent Providence ever showered down upon the heads of any people, torn from us by the cruel policy of our own government—to find the bounties of Heaven thus blasted by the hand of man. Sir, I will not deny that there are other causes besides the tariff, which have contributed to produce the evils which I have depicted. Trade can, to some extent, be carried on with greater facility at New York, and cotton may be raised more profitably in Alabama; but, these advantages would not have broken up the commerce or depressed the agriculture of South Carolina, while an unrestricted intercourse with foreign nations, enabled us to realize the most moderate profits! Men do not quit their accustomed employments, or the homes of their fathers, for any small addition to their profits. It is only when restriction has reached a point which leaves the door still open to one, while it closes it against the other, that this result is produced, and, therefore it is, that a rapid transfer of capital and population is now added to the other evils with which the old states are afflicted.

In this condition of the country, where is there to be found a fulfilment of the promises held out to the south in 1824? We were then told that we had mistaken the

true character of this system. We were entreated only to try it for a short time. We were told that the taxes imposed on foreign articles would be but temporary; that the manufactures would want protection but for a short time—only to give them a start—and that they would soon be able to stand alone. We were to have had a double market for our cotton—high prices, reviving commerce, and renewed prosperity. Sir, after the experience of four years, the tariff of '28 came up for consideration, by which the protecting system was to be further extended and enlarged. And what was found to have been the result of four years' experience at the south? Not a hope fulfilled, not one promise performed—and our condition infinitely worse than it had been four years before. Sir, the whole south rose up as one man, and protested against any further experiment with this fatal system. The whole of the representatives of seven states, Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, and Tennessee, (with, I believe, but three dissenting voices), recorded their votes, against that bill. Sir, do not gentlemen find in this fact, some evidence of the dangerous character of that legislation on which this system is based. Can it be wise—can it be just—can it be prudent—to adopt and enforce a policy so essentially sectional in its character? Can we hope for harmony, peace, and concord, while enforcing a system against which an entire section of your country so strongly revolts?—It is the essential principle of the representative system, that a mutual sympathy of feeling and of interest, should bind together the people and their rulers; and it may be worthy of profound reflection how far that principle is essentially preserved by a scheme of legislation, under which the feelings and interests of so large a portion of the country are outraged and trampled on. When taxes are imposed, not by the representatives of those who are to bear the burthens, but of those who are to receive the bounty.

Now, sir, let us turn our attention to the north. And here I cannot speak from my own knowledge, but I am free to confess, that if we are to credit the accounts we have heard, the rich fruits of the system have been scattered in this quarter with a profuse hand. We are told that manufacturing establishments have sprung up everywhere as if by enchantment. Thriving towns and beautiful villages cover the whole face of the land. Millions of capital have been withdrawn from other pursuits and invested in manufactures. Joint stock companies are receiving enormous dividends; and the people, (at least in the neighborhood of the establishments built up and sustained by the system) are rejoicing in a prosperity unexampled in the history of the world. But sir, in the midst of this universal joy, we hear occasionally the voice of lamentation and complaint.—There are those north of the Potomac, wise and experienced, and patriotic men, well acquainted too with the actual condition of things, who tell us that this apparent prosperity is in a great measure delusive; that the system has operated in building up a favored class at the expense of the rest of the community. That it has, in fact, made the "rich richer, and the poor poorer." I have before me several statements, all going to prove these assertions, as to several of the most flourishing manufacturing establishments of the north. I will trouble the senate with but one of them, and that merely by way of illustration. The article is from the pen of one of the ablest political economists in the union, one who has laid his country under a lasting debt of gratitude.

[Mr. Hayne here read a statement from the Banner of the Constitution, proving that a flourishing cotton manufactory at the Falls village, in New Hampshire, was, from their own showing, maintained by a tax on the community; exceeding the entire profits of the establishment, by \$101,000 per annum; and that, if a purse was made up, and every operative man, woman, and child paid \$100 per annum, for standing idle or turning griststones, the public would be gainers by \$101,000 annually.]

It will be seen, therefore, that, with regard to some, at least, of our most flourishing manufacturing establishments, the profits derived are drawn from the pockets of the people. But, it will be said, "here is a case

in which the south participates in the bounty; here is a home market found for three thousand bales of Carolina cotton." Sir, I seize the opportunity to dispel forever the delusion, that the south can derive any compensation in a home market for the injurious operations of the protecting system. The case before us affords a striking illustration of this truth. The value of the raw material is about one-fourth part of the manufactured article. Now if the cotton goods manufactured at the Falls village, were imported from England instead of being made in New Hampshire, we should find a market for twelve thousand bales of our cotton instead of three; so that instead of gaining a market for three thousand bales of cotton, we have lost a market of nine thousand. The home market for our cotton is not a new, or additional, but a substituted market. If the trade were free, the goods manufactured in this country would be imported from England, and paid for in our cotton; but in cutting off the imports, you, of course, to the same extent, diminish our exports. Now suppose, to make this matter too plain for cavil or dispute; that we exported to Great Britain one hundred thousand bales of cotton, worth, (at thirty dollars a bale) three millions of dollars, and that we received in exchange three millions of dollars worth of British cotton goods. How much of our cotton would it take to manufacture these goods? Why, just twenty-five thousand bales, while the remaining seventy-five thousand would be disposed of on the continent. But suppose the importation of these goods prohibited, in order that they should be made at home, what portion of this cotton would find a home market? Only twenty-five thousand bales, and the remaining seventy-five thousand must be left upon our hands. Thus, it will be seen, that the effect of our instituting a home market in the place of a foreign market for our cotton, would be to deprive us entirely of a market for three-fourths of our productions. This result is inevitable, unless the domestic manufacturer can enter into competition with the British in foreign markets, an idea altogether too extravagant to be worthy of serious notice; for surely, if any thing can be considered certain, we may safely assume that articles which cannot be manufactured at home without a protecting duty of from fifty to one hundred per cent., cannot enter into competition with foreign manufactures in the markets of the world, where they will, of course, have no protection whatever. But to return to the condition of the north under the protecting policy. If the rich fruits of the system in that quarter were greater even than they are alleged to be, I should still think that they have been purchased at too dear a rate. It has even there depressed our commerce, disturbed all the relations of society, and had a tendency to produce that inequality of fortunes, which may, one day or other, be fatal to the liberties of this country.

Surveying with the feelings of an American the actual condition of things, I should certainly be disposed to exchange all the blessings which the protecting system has produced, even in New England, for those which it has destroyed. In the place of the splendid villages, flourishing manufactories, joint-stock companies, and lordly proprietors, clothed in fine linen, and taring sumptuously every day, as a patriot, I should be disposed to say, give me back the ships which have been destroyed the merchants which have been reduced to bankruptcy, the sailors that have been forced into foreign service, the "plundered ploughmen and beggar yeomanry" who have been driven from the pursuits of their choice into the gloomy walls of a manufactory; give me back these; and above all, give me back *content*—restore the peace and harmony which this system has destroyed, and I will consent that every manufacturing establishment shall be razed to its foundation, which has been built up, and can only be sustained, by this secured system. Sir, if wealth were the highest good of a nation, and pecuniary profit the only standard by which a wise policy could be measured, it would even then be more than questionable, how far this system could be justified. But there are higher and more sacred principles involved in this question, which cannot be safely disregarded; there are considerations of justice, and political equality, which rise far above all calculations of mere profit and loss.

Sir, what will it profit you, if you gain the whole world, and lose the hearts of your people? This is a confederated government, founded on a spirit of mutual consideration, concession, and compromise, and it is neither a just, prudent, nor rightful exercise of the high trust with which you are invested for the common good, to resort to a system of legislation by which benefits and burthens are unequally distributed. Sir, can any gentleman look this subject fairly in the face, and not perceive that such a government as ours (instituted for a few definite purposes, in which every portion of the union must, from the very nature of things, have a common interest) cannot turn aside from their high duties, and undertake to control the domestic industry of individuals, without undermining the very foundations of our republican system. It is contrary to the whole genius and character of our institutions; the very form and structure of our government, that it should undertake to regulate the whole labor and capital of this extensive country. A perseverance in this course will sow the seeds of dissension broadcast throughout the land, and let it be remembered, that discord is not a plant of slow growth, but one that flourishes in every soil, and never fails to produce its fruit in due season. What a spectacle do you even now exhibit to the world? A large portion of your fellow citizens believing themselves to be grievously oppressed by an unwise and unconstitutional system, are clamoring at your doors for justice, while another portion, supposing that they are enjoying rich bounties under it, are treating their complaints with scorn and contempt. God only knows where all this is to end. But it "will not, and it cannot, come to good." We at the south will call you our brethren, and have ever cherished towards you the strongest feelings of affection; but were you the brothers of our blood, for whom we would coin our hearts, it is not in human nature that we should long continue to retain for you undiminished affection, when all hope of redress shall have passed away, and we shall continue to believe that you are visiting us with a hard and cruel oppression, and enforcing a cold, heartless, and selfish policy.

I shall now proceed, Mr. President, to examine the character of the protecting system. And here, I shall assume, that the protection it extends to the American manufactures is something *substantial*, and affords some advantage, be it more or less, to the protected interests. I shall take it for granted, that it is intended to enable the American manufacturers to enter into that successful competition with the foreign, which they could not do without such protection; that the effect of the system is to enable the American manufacturer to obtain more for his goods than he could otherwise command. In a word, that it affords substantial protection; and is not like that extended to cotton—a mere name. For, on this latter point, let it be remembered, that the first cotton produced in this country found a market abroad; and that, even now, nearly the whole of it is disposed of in Europe, where it maintains a successful competition against all the world. It is idle, therefore, to talk of the benefit of a protecting duty to cotton at home. It is beyond all dispute, sir, that, if any duty be necessary to protection, it can only be, because it enables the manufacturer to sell his goods for more than he could otherwise obtain for them. Now, in this view of the subject, let us see how the question will stand. How must such a system operate, *FIRST*, on the different *interests*, and *SECONDLY*, on the different *sections* of the country? We will assume, that a particular manufacture cannot be produced in the country, within fifty per cent. as cheaply at home, as the same article could be obtained from abroad, and that a duty which, with charges, should be equal to about fifty per cent. was absolutely necessary to introduce and to sustain it. Such a duty must operate as a *tax* on every other class in the community, for the benefit of the manufacturer; and supposing it to be imposed, not for revenue, but for protection, would be a *double tax*. Suppose the value of the imported article to be a million of dollars, the duty would be half a million; and if the protection amounted to an equal sum, here would be a tax of a million of dollars imposed upon the whole people, to secure a bounty of half a million to one portion of them. But it is said the bounty is not confined to the manufac-

ers—that other classes participate. I admit that there is a circle embraced within the range of the manufacturing influence, that partake of the benefits of the system. Farmers, in the neighborhood, who supply the operatives with food—mechanics, who construct the buildings and machinery—clergy men, physicians, lawyers, and others, who make up a manufacturing village, all come in for a share of the gains, and constitute, in fact, the *protected class*, which enjoy the benefits of the system; but all other classes in the community must obviously be laid under contribution, to make that a profitable, which would otherwise be an unprofitable pursuit; and, in the case assumed, would be taxed to the amount of one million of dollars, to secure to the favored class a bounty of half a million. Now suppose, sir, such a system as this to be extended to all the cottons, woollens, iron and sugar, made in any country, and we will take that country, to be the United States. We will suppose, further, that cottons could not be profitably manufactured without a protecting duty of from twenty-five to an hundred per cent.—woollens from forty-five to two hundred per cent.—iron from one hundred to two hundred per cent.—sugar from one hundred to one hundred and fifty per cent.; and that these duties were accordingly imposed on these several articles, (amounting in the whole to the sum of nine millions of dollars annually); that, in consequence of these duties, the protection on all the cottons manufactured in the country was equal to three cents a yard, and amounted to six millions of dollars per annum—woollens to eight millions—iron to one million—and sugar a million and a half—producing, as the result of the whole system, a tax of nine millions on the foreign article to secure a bounty of sixteen millions and a half to the home manufacturers. I have supposed protection to be the exclusive object of this system, and it then clearly follows, that all other classes would be taxed twenty-five millions of dollars per annum, in order to secure to the favored class a protection of sixteen millions.—The government would, indeed, receive its nine millions; but it would be an aggravation of the evils of the system, that this amount should be levied *when it was not wanted*, in order to secure the protected classes in their monopoly. The rates of duties which I have here assumed, are those now actually imposed on the protected articles; (and which it is proposed to retain as essential to protection), and the amount of the protection enjoyed by the manufacturers is stated at the very lowest that has ever been estimated by any person who has undertaken to examine this subject. If you suppose half of the duty here stated to be necessary for revenue—this would not diminish the weight of the burden, though it would lessen to that extent the injustice of the tax,—and let gentlemen make what deductions they please, either from the duty imposed or the bounty received; and it will make no difference whatever in the principle. Whether it be one million or twenty, just as far as the system is *protective* in its character, and imposes any tax upon the foreign article, and affords any protection whatever in the domestic, is the system a tax imposed upon the other classes to render profitable the industry of the manufacturers. And when this tax amounts, as it unquestionably does in the case before us, at the very lowest estimate, to twenty or thirty millions a year, it becomes a scheme of monstrous injustice and oppression.—Now let us trace this system one step farther. Suppose such a system applied to a country of a homogeneous character, with the same capacity for manufacturing every where, and that manufacturing establishments should consequently be equally diffused through every section. The benefits and the burthens of the system would, in such a case, fall equally upon every portion of the country, though not upon the different interests of the state. It has been said that if the profits of manufactures were raised by such a system, above the average of the profits of the whole community, that the labor and capital absorbed in other pursuits would flow into the new employment; and that the whole would ultimately be equalized. Admit that in process of time, this might be the result, yet it could not take place at once, because men cannot transfer at pleasure their labor and capital from their customary pursuits to others.

But if the profits should be thus ultimately equalized in a particular community; yet if the favored pursuit was only rendered profitable by the protection extended to it—it is clear that the scheme would result in an *aggregate loss to the whole community*—equal to the full amount of the bounty. I have assumed the case of an unprofitable pursuit being rendered profitable by the protecting system—for to any other case the system is wholly inapplicable. If the domestic manufacturer can make his goods as cheaply and supply the domestic market on as favorable terms as they could be obtained from abroad, then it is clear that no protection whatever would be necessary. It may be that in the very infancy of a manufacture, on its first introduction into a country, a small protection for a short time might hasten its advancement, but at most, the withholding of such protection could have no other effect than to delay its introduction for a few years—for the existence in any country, of unemployed capital, and individual sagacity and enterprise, sufficient to direct it prudently, would soon lead to the introduction of every branch of manufactures, for which such country was really prepared.—But this stage of infancy once passed, it is preposterous to talk of the necessity of protecting any article that can really be made as cheaply at home as it can be obtained from abroad—and to assert, that to reduce such protection to twenty or thirty per cent., would be ruinous to any manufacture, is to admit at once, that such article cannot be profitably made at home, and consequently that it can only be sustained at the expense of the other interests in the community. Now sir, let us suppose another case, and it is unhappily the very case which now exists in the U. States. We will suppose an extensive country, of which one portion is *exclusively agricultural*, and incapable of changing its pursuits, and that the other portion embraces within its limits, all the manufactures and manufacturing capacities of the whole country. The bounty would then be exclusively enjoyed by one section, and the other would share only in the burthens of the system. To make the inequality still greater, it is only necessary to suppose that the agricultural section is not only incapable of manufacturing at home, but is prevented by insuperable obstacles, from migrating or removing their property to the manufacturing region—that their industry can only be profitably employed in exchanging their agricultural productions, for the *very foreign articles* which enter into competition with the domestic manufactures, and which are heavily taxed for the protection of the latter,—that the effect of such tax is not only to interrupt the intercourse and impair the profits of their industry, but that the agricultural section is thereby exposed to the imminent hazard of having the market for their productions entirely cut off, and finally, TO CAP THE CLIMAX OF THIS INJUSTICE AND OPPRESSION, that the taxes levied on the foreign articles, are expended almost exclusively in the favored region, and you then have, Mr. President, the whole case of the south spread open before you. Their pursuits are altogether agricultural—they cannot change them—they cannot transfer their labor and capital to the favored region—they cannot find a market for their productions, except by exchanging them for the *very foreign manufactures* which are taxed almost to prohibition, and the taxes thus raised are expended in other sections. Is there a man in this assembly who can lay his hand upon his heart, and say that it is a just and equal system? It may be said, however, that all this is merely the result of our peculiar condition, and the nature of our pursuits. It is not so, sir. All we ask, is to be LET ALONE. Leave us to the free enjoyment of the bounties of heaven, and the advantages of our situation, and we ask no more. But where is the justice and equity of a system of legislation which is to make profitable the industry of others by the destruction of our own? And by what right is it that we are to be made victims to the prosperity of others? I will here borrow an illustration, to make this matter plain. The southern states supply themselves with woollens, cotton, and iron, by raising cotton, rice, and tobacco. Now, suppose we should exchange a bale of cotton for a bale of coarse woollens, for the use of our slaves, containing, we will say, a hundred pieces. This bale of cloth

is ours. It is the fruit of our own labor, of American capital, and home industry. We may be said to have manufactured it, not with the spindle and the loom, but with the plough and the hoe. Now, sir, we will suppose that a northern manufacturer has by the application of an equal amount of labor and capital, produced a similar bale of woollens, of precisely the same quality and value. In what respect is the manufacturer entitled to be regarded with more favor than the planter? Does the freight which we may have paid to the ship owner, and the employment given to navigation, entitle us to less favor in the eyes of the government. Are the plough and the hoe less favored instruments of production than the spindle and the loom? Perfect equality, sir, would seem to require that we should stand, at least, on the same footing, and that, whether these woollens were wanted for consumption, or for sale, they should be subjected to exactly the same tax.—But how are we treated by a just and paternal government, who careth, we are told, *equally* for all her children? Our bale of woollens is stopped at the custom-house, and forty pieces are taken out, as a tax to the government, whereby our stock is reduced to sixty pieces, while the bale of the manufacturer is free from all taxation. If these articles are wanted for our own consumption, we can consume but sixty pieces; while the manufacturer retains his hundred pieces. If the goods are wanted for sale, we have but sixty pieces to be converted into money, or to be exchanged for other commodities; while the manufacturer has his hundred pieces for the same purposes; and if we should happen to meet at the same market, as the two articles must sell at the same price, being of the same quality, the manufacturer will, of course, realize forty per cent. more than the planter. Now, sir, what are we to do in this dilemma? How are we to escape this unequal burden? The senator from Kentucky (Mr. Clay) on a former occasion taxed his ingenuity to provide us the means of escape; and I must presume, that if his ingenuity failed, the case is altogether without hope. There are four ways, said the senator, by which the south may avoid the tax. First, "*by obtaining from the purchase of the foreign articles.*" But, sir, we cannot do without them; and this trade, moreover, furnishes the only market for our productions. To adopt this alternative, would be to seal our ruin. Secondly, said the gentleman, "*employ the rival American fabric.*" But, sir, if the manufacturer would take our cotton in exchange for his productions, (which he cannot do, except to a very limited extent), we should pay as heavy a tax in the price of the domestic, as in the duty on the foreign fabric; for no one will pretend, that if the quality be the same, there would be any difference of price in the American market. Thirdly, "*manufacture for ourselves.*" Sir, we cannot manufacture. Except as in a few coarse articles, slave labor is utterly incapable of being applied to such an object. Slaves are too imprudent, too incapable of that minute, constant, delicate attention, and that persevering industry, which is essential to the success of manufacturing establishments. It was but the other day that some of our New England brethren got it into their heads that they understood our institutions better than we did ourselves, and undertook to create a splendid manufacturing establishment in the district represented by my distinguished and valued friend, (Mr. McDuffie.) It was accordingly put into operation, but had gone on but a short time, when one of the slaves was tempted to make free with the goods, and, to prevent detection, burnt up the whole establishment. It might be supposed, sir, that the people of South Carolina would not have been inclined to punish such an offence with great severity; and if the culprit had escaped, I presume we should not soon have heard the end of it. Not so, sir, however. We have a law which punishes arson, whether committed by a black, or a white man, with death.—The offender was brought to trial, and being convicted on the clearest proof, suffered the penalty of the law. And, sir, to show how little justice is sometimes meted out to the south, I will state the fact, that since I arrived here, I have seen an account of this transaction in print, headed, with large capitals, "CRUELTY TO SLAVES," and representing that a poor innocent negro had recently been hanged in South Car-

olina, for burning down a building by accident. I think, sir, the gentleman will now himself admit, that, to embrace this proposition, would only be, to use an old adage, "jumping out of the frying pan into the fire." The last remedy suggested by the gentleman, is, that we should "supply ourselves with household manufactures." What, sir, give up our foreign trade! Abandon our agricultural pursuits, and involve the whole southern country in degradation and ruin? Are we to be driven from the pursuits of our choice, in order to promote the industry of the manufacturers?

The case which I have stated, of the bale of woollens, illustrates the unequal operation of this system upon the agricultural industry of the south, and the manufacturing industry of the north. What is true of a single bale, is true of the whole amount of foreign importations which are taxed for the protection of the domestic manufacture—true of the eight millions of imports received in exchange for the productions of South Carolina—and of the forty millions received in exchange for the productions of the plantation states, or at least of so much thereof as embrace the protected articles. Our northern friends say, however, that part of our cotton and rice belongs to them. Be it so. Whatever remains to us, and is rightfully ours, is subjected to the unequal system which I have above described. Sir, it is put beyond all dispute, that the agricultural industry of the south is taxed, unequally, unjustly, enormously taxed in its foreign exchanges, in order to render profitable the manufacturing industry of the north. Taxed, I will not say to what extent—but precisely to the amount of the duty imposed for protection, and the price added to the domestic article, whatever these may be. It is said, sir, that the consumer pays the tax, and that the tariff states pay their full portion of the tax on their consumption. Sir, I think this may be well doubted—our habits are different. A South Carolina farmer, whose crop is worth a thousand dollars, sends, perhaps, the whole of it to market, and exchanges it for foreign productions, paying, it may be, a duty of fifty per cent. His tax would be five hundred dollars, a northern or western farmer raising produce to the value of a thousand dollars, will consume nine hundred of it on his farm, and exchange but a hundred for foreign articles, and be subjected to a duty of only fifty dollars. This difference of habits between the different parts of the country, is greater than would be supposed possible. I have known a wealthy planter in the neighborhood of Charleston, that did not raise a single article that was not sent to foreign markets, and who purchased every thing that was consumed by himself or his slaves. His cloth from England, his wines from France, his horses, mules and hogs, from the west—his corn from Maryland—wooden ware, puttees, and other notions, from New England; and I assure our New England friends, that although we do not relish all of their notions, there are some that we prize very highly. But, sir, if the consumer did, in every case, pay the whole amount of the tax, and the consumption was in exact proportion to population, could gentlemen even then fail to see the wide difference in the operation of the protecting system on the two sections, when they consider that the tariff states are remunerated, and more than remunerated, for any tax which they may pay, in the bounties they receive, while we receive no remuneration whatever. If this be doubted, I will apply a test, which, I think, cannot possibly deceive us. Do our New England brethren not understand their own interest? Do you think, sir, that they would be very apt to fall in love with taxation and court the impositions of burthens? How comes it, then, that they have been taught to believe that "taxation is no tyranny," but on the contrary, the greatest of earthly blessings? Why is it, that they would regard as the heaviest of calamities, the reduction of the public burthens? Is it not clear, then, that they regard the duties as a bounty to their industry, and that they know that they have the power to indemnify themselves for all that they pay in duties.

But, sir, there is another view of this matter which demonstrates, I think still more plainly, the inequality of the system. I allude to its effect upon the people of the south, as *producers* of the articles which are exchanged for foreign commodities. There are very able men, sir,

who have undertaken to prove that we suffer from this system chiefly in our character as producers. To my mind, it is morally certain that the people of the south either as *producers* or *consumers*, support a burthen nearly, if not entirely, equal to the whole amount of the tax levied on their importations. The precise manner in which this operates, is a problem not so easy of solution. I will endeavor to explain, however, very briefly, my conception of the process.

We will suppose a perfectly free trade to be carried on between the southern states and Great Britain—that is to say, that the articles on both sides are admitted, duty free. In this state of things, a *progressive tax* equal to five per cent. per annum, is imposed on British manufactures for the protection of our own. The first duty of five per cent. would, doubtless, be added to the price. Before this progressive duty had advanced many steps, however, the period would arrive when no additional charge could be sustained by the consumer without a reduction of his consumption. The next five per cent. then imposed, would have to be sustained by the merchant, or the foreign manufacturer, or the producer of the cotton, and would most probably be divided among them. In this manner, as the system progressed, the profits of the merchant would be reduced to the lowest scale; those of the manufacturer would also be brought down, and the southern producer would, in his turn, be compelled to submit to a reduction in the price of his productions. Each successive step in the further progress of the system would sink lower and lower the price of his cotton, until it was reduced to the very lowest sum that would pay the expense of its production. The very next step must, of course, annihilate the trade by rendering it unprofitable to all concerned. Sir, there may be a difference of opinion as to the point to which we have now arrived in the progress of this system; (for let it be remembered that the system is *still progressing*), but to my mind it is clear that we have long since passed the point at which any further reduction of profits could possibly be extorted from the merchant or the manufacturer; and that every successive increase of the tax, for years past, has fallen almost exclusively upon the producer.

The proof of this is to be found in the fact that cotton has, within a few years, been gradually falling, until it has lost more than two-thirds of its value, and now barely pays the expense of its production, bringing down with it the wages of our agricultural labor and capital to the very lowest point. Some gentlemen insist that the southern producer now bears nearly the whole of the tax; while the gentlemen on the other side contend that it is a maxim universally true that the "consumer pays the tax." I am inclined to think that the truth lies in the middle. I can certainly conceive a state of things in which the producer would, as such, pay nearly the whole of the tax; but, except the tax is a very moderate one, or is imposed upon the absolute necessities of life, it is impossible that the whole of the weight could be thrown upon the consumer. No one, surely, would contend that if any community were in the habit of consuming fifty millions of foreign goods, imported duty free, they could afford to consume any thing like the same amount under a duty of 50 per cent., if the whole duty were added to the price. But whether the tax be in general paid by the producer or the consumer, or be divided between them, to my mind it is clear, that in the actual condition of things, the burthen falls most unjustly and unequally on the southern states. I will illustrate this. We will assume that South Carolina annually exchanges eight millions of dollars' worth of cotton and rice for foreign goods, paying a duty of fifty per cent. equal to four millions of dollars. Now, suppose the consumer to pay the whole tax, how would the account stand? Assume that no more than one half of our importations are consumed at home, say

\$4,000,000

The tax, at 50 per cent. would be 2,000,000
Suppose two millions exchanged with our northern brethren for *protected articles*, the increased price of which would be equal to the duty, this would be 1,000,000

Making \$3,000,000

The remaining two millions being exchanged for unprotected articles, a tax of one million would be paid on the consumption by our southern and western brethren. From this state of the case it would follow, that, if the consumer pays the whole tax, we would pay as consumers three millions out of these four imposed upon the foreign articles received in exchange for our productions, though we should consume only half of them. But if we take it for granted that the tax cannot be added to the price, we would of course get back no part of the duties paid at the custom house; and in that case we should bear the whole burthen. It has been said that the duties on imported articles fall chiefly on the merchant and the foreign manufacturer, but I hold this to be impossible, for surely two or three per cent. is the utmost reduction that can be made from the profits of the merchant, and not much more could be taken off from those of the manufacturer. Indeed, how could it be expected that the American demand for British manufactures would materially affect their price, when not more, probably, than a twentieth part of the whole finds a market in this country? It is on the American producer, therefore, that this tax must chiefly fall. Sir, the duties upon imports are either paid by the consumer or they are not. If they are paid by him, I have shown that the greater portion of the duties on the goods received in exchange for our cotton falls upon the planter, and that for this he receives no remuneration whatever. If the duties are not paid by the consumer—that is to say, if they are not added to the price—then it is manifest, that the whole amount of duties falls upon us without the possibility of relieving ourselves from any part of the burden. As to the popular notion that all consumers must pay equally, I will ask any gentleman to tell me how it is with those who *consume the tax*? Here is a tax of sixteen millions imposed directly or indirectly upon southern production. Fourteen millions of this amount are transferred to the north, and there consumed. Are the consumers of these fourteen millions taxed on their consumption paid as highly as those who have the whole amount?

Sir, I have done with this branch of the subject. Great as are the present evils of the system to the south, there are greater still—in prospect. We are seriously threatened with the entire loss of the foreign markets for our productions. All trade is but an exchange of equivalents, and is founded on the maxim of "give and take." If you exclude British goods from our market, you, in effect, exclude our cotton from their market. It is in vain to tell us that England must have our cotton. You may force her to do without it. Even now she supplies herself, to a great extent, from other countries; from her East India possessions, Egypt, Brazil and elsewhere; and you will make it her interest, in the end, to give up the American trade entirely. Even now she is looking to this as a possible evil. You find her encouraging the production of cotton in the East Indies, by a discriminating duty to which you have forced her, and stimulating the production of the article in South America, where she is furnished with a market for her manufactures, almost duty free. Can we then, be blind to the fate that awaits us when the American System shall be consummated, and we shall be cut off from a market for seven hundred thousand bales of our cotton; an event that is hardly necessary for me to say would involve the whole south in irretrievable ruin. It is idle for gentlemen to pretend that the north can ever furnish a home market for all the cotton of the south. Two or three hundred thousand bales is the utmost extent to which we could find a market in that quarter. The catalogue of the evils of this system, however, is not yet completed. It is not merely the mischief it has done, and the still greater evils which it threatens, but it has arrested our march to greatness, and prevented us from fulfilling our high destinies. What would have been the condition of this country now, if we had never been deprived of the blessings of free trade? Why is it that our tonnage and our exports have not grown with our growth, and strengthened with our strength? It is because our prosperity has been blasted by the restrictive system. Look, sir, at this picture. In 1810, with a population of seven millions, we had a tonnage of one million four hundred thousand. In 1831, with a population of thirteen millions,

our tonnage is reduced to one million two hundred thousand; and, going still further back, in the year 1800, our exports amounted to eighty-one millions, while now, with a population of thirteen millions, our exports are reduced to seventy-two millions.

Thus, while our population has increased nearly three-fold, our foreign commerce has not advanced at all. Sir, if Washington's free trade system had continued unto this day, (for be it remembered that Alexander Hamilton's protecting system was essentially a system of free trade, imposing duties only of from five to seven and a half per cent.) can it be doubted that we should now have had a tonnage of two millions and a half, and that our exports would have amounted to one hundred and fifty millions. I am told that one of the ablest financiers in this country has recently declared that he should consider an average duty of twelve or fifteen per cent. *ad valorem*, as abundantly sufficient for all the purposes of revenue; and that, under such a system, our imports and exports would, in his opinion, exceed a hundred millions of dollars the very first year. I know, Mr. President, that it has sometimes been said that the evils under which the south is suffering arise from the over-production of cotton; but this is not so. Cotton is an article, the production of which cannot be overdone. It is the cheapest of all known raw materials. It is fast superseding silk, wool, hemp and flax, all over the world. As a proof of this, I will advert to the fact, that, during a period, in England, when her woollen manufactures advanced from five millions of pounds sterling to six, the cotton manufactures progressed from one million to more than thirty. If you would take off your duties, and throw open to us the markets of the world, American cottons would, to a great extent, supersede all others, and we should find a market, not for one, but two millions of bales. The whole south would then, indeed, become a "garden spot." But it is insisted by the supporters of the protecting system, that its only effect is to make our goods come cheaper. Sir, if this were true, I will venture to assert, that the manufacturers themselves would be the very first to abandon the system. Their object, certainly, is not to lessen, but to increase their prices. Even if this were the case, however, I am unable to discover how the cotton planter could be compensated for the loss of his market. How is this supposed reduction to be brought about? By competition, say the gentlemen, between the British and the American manufacturer. But if it is competition that is to produce this reduction of prices, the manufacturer, on both sides, must be put on an equal footing. What sort of competition is that which is founded on a discrimination of fifty per cent, in favor of one of the parties—and if, in spite of such a discrimination, the contest can be maintained at all, is it not, by that fact, put beyond dispute, that but for the tax, the prices would be still further reduced? Gentlemen take it for granted that the competition among the foreign manufacturers is not sufficiently great to reduce the price to the very lowest rate. They even tell us of combinations among them to keep up their prices. Sir, such combinations are utterly impossible. How are the manufacturers of iron, in Sweden, Russia and England, or the cotton and silk manufacturers of France, to enter into a combination? The thing is ridiculous. No, sir, if the duties were taken off, the prices of goods would be reduced to their minimum, and much lower than they are now in this country, and it is for this reason, and this only, that the manufacturers are protesting against it. But, sir, where is the evidence to be found that the tariff has produced any reduction whatever, in the price of the protected articles. Is there any other foundation for the assertion than this: that the prices of cottons, woollens and iron, have actually fallen since 1824? But all other articles have likewise fallen, protected and unprotected. Real and personal estate, cotton, flour and tobacco, all—*all* have gone down; and most of them have fallen in a much greater degree than woollens, cottons and iron. Has the tariff done all this? What say the gentlemen? I have here a price current containing the prices of 250 articles, in 1816 and 1831. From this it appears that there has been an universal reduction in the price of articles of every description, and that those admitted duty free have been reduced, at least, in an equal ratio with those paying duties. Indeed, sir,

I think that a careful examination of this table will shew that reduction in the protected articles has not been so great as in the others. But the reduction has not been confined to this country. It has taken place in England, and all over the world, in an equal, nay, in a greater degree. The very articles most highly protected in this country, cottons, woollens and iron, are now selling in England much lower than they can be obtained here. This is a fact perfectly notorious to every importing merchant, and I have abundant evidence of it now in my hands. Here are statements shewing that such goods have actually been imported within the last year, in Philadelphia, New York and elsewhere, and after paying duties of from 50 to an 100 per cent, have been sold as low as the domestic manufacture. Sir, I ascertained, before I left home, that the whole quantity of cotton goods imported into Charleston during the last year paid an average duty of fifty per cent, and then they were sold as low as American cottons of the same quality. But I am really ashamed to argue a question so self-evident. How can taxes possibly lessen prices? How can protection diminish the cost of production? What are the elements of price? Are they not the cost of the raw material—the wages of labor—and the interest of capital; and how can these be lessened by a tax on the article? To say so, is to reverse all the rules of proportion. Gentlemen might as well contend that two added to five make three, as that fifty per cent, added to the cost of an imported article, lessens its price. If gentlemen can believe this, they may believe any thing. But the truth is, Mr. President, this whole matter of the reduction in the price of goods is very easily explained. It depends on general causes, which have operated to a certain extent all over the world. From a thorough investigation of the subject, which has taken place in Great Britain, it is found to have resulted from the appreciation of the currency, improvements in machinery, and the general restoration of peace. The resumption of specie payments, and the diminished supply of the precious metals, is calculated to have lessened the circulating medium to the amount of upwards of £500,000,000. The effect of this single cause has been, within the last ten years, the reduction of prices in that country to the amount of thirty-five per cent, to which fifteen per cent, may be added for the other causes above mentioned—making in the whole a reduction of almost fifty per cent, in the money price of all articles. The same thing has taken place in this country, and, therefore, when gentlemen allege that the price of manufactures has fallen, the naked fact proves nothing, unless they can show that they have fallen in a greater degree than other articles in this country, and similar articles abroad. But this is so far from being the fact, that the truth is, that the protected articles have fallen *less in proportion* than those which receive no protection. Cotton is a striking example, which has, in a few years, fallen to one-third of its value, while no protected article has, in the same period, fallen one half.

I trust, sir, that we have now made out our case; that we have shown the unjust and unequal operation, in every point of view, of this system, and that, as far as the south is concerned, and the west also, though not in the same degree, it is an unmitigated system of burthen. And, even with regard to the favored section, I would submit, how far it is wise to insist upon a system which can only be maintained at the expense of other sections. Sir, I feel too much confidence in the justice and magnanimity of our northern brethren to suffer myself to doubt their willingness to abandon this system if they could see it in the light that we do. It may enrich them for the moment, but the prosperity it creates is artificial, and will assuredly be unsubstantial. No country can be permanently benefited by a system of bounties. This system may destroy the south, but it will not permanently advance the prosperity of the north. It may depress us, but cannot elevate them. Besides, sir, if persevered in, it must annihilate that portion of the country from which the resources are to be drawn, that are to enrich the northern manufacturers. And it may be well for gentlemen to reflect, whether adhering to this policy, would not be acting like the man who "killed the goose which laid the golden eggs." Let gentlemen be assured, that this is a system which cannot possibly last. It will, soon—

er or later, be utterly overthrown. Would it not be well, therefore, for them to seize this favorable occasion to make some sacrifice of their peculiar interests to the general welfare?

In concluding, Mr. President, what I have to say on this branch of the subject, I must take the liberty of presenting a few general considerations. In a broad view of the question, it never can be expedient to introduce into a country the manufacture of any article that cannot be produced as cheaply at home as it can be obtained from abroad. There are some such now made in this country, and their ability to sustain themselves, without protection, is unquestionable. The only exception I would admit to the rule I have laid down, relates to articles strictly necessary to national defence. I do not allude to the habiliments of a soldier, or to articles necessary to his consumption, but to arms and munitions of war. It is the true policy of all nations to "buy where they can buy cheapest." This is the very instinct of our nature, and when we depart from it in national concerns, we violate the soundest principles of political economy, a science which is in fact but the lessons of wisdom and an enlightened experience applied to the affairs of nations. Sir, the restrictive policy is founded on the triumph of the selfish principle. It assumes that the natural position of nations towards each other is one of enmity and rivalry, founded on a supposed opposition of interests. The doctrine of the old school was, that, what was gained by one nation, was necessarily lost by another.

The plain and seemingly obvious truth, that in a fair and equal exchange of commodities, all parties gain, is a noble discovery of modern times. The contrary principle naturally led to commercial rivalries, wars, and abuses of all sorts. The benefits of commerce being regarded as a stake to be won, or an advantage to be wrested from others by fraud or by force, governments naturally strove to secure them to their own subjects; and when they once set out in this wrong direction, it was quite natural that they should not stop short till they ended in binding, in the bonds of restriction, not only the whole country, but all of its parts. Thus we are told that England first protected by her restrictive policy her whole empire against all the world, then Great Britain against the colonies, then the British Isles against each other, and ended by vainly attempting to protect all the great interests and employments of the state by balancing them against each other. Sir, such a system, carried fully out, is not confined to rival nations, but protects one town against another, considers villages, and even families as rivals; and cannot stop short of "Robinson Crusoe in his goat skins." It takes but one step further to make every man his own lawyer, doctor, farmer and shoemaker—and, if I may be allowed an Irishism, his own seamstress and washerwoman. The doctrine of free trade, on the contrary, is founded on the true social system. It looks on all mankind as children of a common parent—and the great family of nations as linked together by mutual interests. Sir, as there is a religion, so I believe there is a politics of nature. Cast your eyes over this various earth—see its surface diversified with hills and valleys, rocks, and fertile fields. Notice its different productions—its infinite varieties of soil and climate. See the mighty rivers winding their way to the very mountain's base, and thence guiding man to the vast ocean, dividing, yet connecting nations. Can any man who considers these things with the eye of a philosopher, not read the design of the great Creator (written legibly in his works) that his children should be drawn together in a free commercial intercourse, and mutual exchanges of the various gifts with which a bountiful Providence has blessed them. Commerce, sir, restricted even as she has been, has been the great source of civilization and refinement all over the world. Next to the Christian religion, I consider FREE TRADE in its largest sense as the greatest blessing that can be conferred upon any people. Hear, sir, what Patrick Henry, the great orator of Virginia, whose soul was the very temple of freedom, says on this subject—

"Why should we fetter commerce? If a man is in chains, he droops and bows to the earth, because his

spirits are broken, but let him twist the fetters from his legs, and he will stand erect. Fetter not commerce! Let her be as free as the air. She will range the whole creation, and return on the loor winds of Heaven, to bless the land with plenty."

But, it has been said, that free trade would do very well, if all nations would adopt it; but as it is, every nation must protect itself from the effect of restrictions by countervailing measures. I am persuaded, sir, that it is a great, a most fatal error. If retaliation is resorted to for the honest purpose of producing a redress of the grievance, and while adhered to no longer than there is a hope of success, it may, like war itself, be sometimes just and necessary. But if it have no such object, "it is the unprofitable combat of seeing which can do the other the most harm." The case can hardly be conceived in which permanent restrictions, as a measure of retaliation, could be profitable. In every possible situation, a trade, whether more or less restricted, is profitable, or it is not. This can only be decided by experience, and if the trade be left to regulate itself, water would not more naturally seek its level, than the intercourse adjust itself to the true interests of the parties. Sir, as to this idea of the regulation by government of the pursuits of men, I consider it as a remnant of barbarism disagreeable to an enlightened age, and inconsistent with the first principles of rational liberty. I hold government to be utterly incapable, from its position, of exercising such a power wisely, prudently or justly. Are the rulers of the world the depositaries of its collected wisdom? Sir, can we forget the advice of a great statesman to his son—"Go, see the world, my son, that you may learn with how little wisdom mankind is governed." And is our own government an exception to this rule, or do we not find here, as every where else, that

"Man, proud man,
Rebels in a little brief authority,
Plays some fantastic tricks before high Heaven,
As makes the angels weep."

The gentleman has appealed to the example of other nations. Sir, they are all against him. They have had restrictions enough, to be sure; but they are getting heartily sick of them, and in England, particularly, would willingly get rid of them, if they could. We have been assured, by the declaration of a minister of the crown, from his place in parliament, "that there is a growing conviction, among all men of sense and reflection in that country, that the true policy of all nations is to be found in unrestricted industry." Sir, in England they are now retracing their steps, and endeavoring to relieve themselves of the system as fast as they can. Within a few years past, upwards of three hundred statutes, imposing restrictions in that country, have been repealed; and a case has recently occurred there, which seems to leave no doubt that, if Great Britain has grown great, it is, as Mr. Huskisson has declared, "not in consequence of, but in spite of, her restrictions." The silk manufacture, protected by enormous bounties, was found to be in such a declining condition, that the government was obliged to do something to save it from total ruin. And what did they do? They considerably reduced the duty on foreign silks; both on the raw material and the manufactured article. The consequence was, the immediate revival of the silk manufacture, which has since been nearly doubled.

Sir, the experience of France is equally decisive. Bonaparte's effort to introduce cotton and sugar has cost that country millions; and, but the other day, a foolish attempt to protect the iron mines spread devastation through half of France, and nearly ruined the wine trade, on which one fifth of her citizens depend for subsistence. As to Spain, unhappy Spain, "fenced round with restrictions," her experience one would suppose, would convince us, if any thing could, that the protecting system in politics has bigotry in religion, was utterly at war with sound principles and a liberal and enlightened policy. Sir, I say, in the words of the philosophical statesman of England, "leave a generous nation free to seek their own road to perfection." Thank God, the night is passing away, and we have lived to see the dawn of a glorious day. The cause of free trade must and will prosper, and finally triumph. The political economist is

abroad; light has come into the world; and, in this instance, at least, men will not "prefer darkness rather than light." Sir, let it not be said, in after times, that the statesmen of America were behind the age in which they lived—that they initiated this young and vigorous country into the enervating and corrupting practices of European nations—and that, at the moment when the whole world were looking to us for an example, we arrayed ourselves in the east-off follies and exploded errors of the old world, and, by the introduction of a vile system of artificial stimulants and political gambling, impaired the healthful vigor of the body politic, and brought on a decrepitude and premature dissolution.

I had intended, Mr. President, to have said something of the constitutional question, but have already taken up so much of your time, that I shall not now enter into it. I must be permitted, however to remark, that the gentleman is mistaken in supposing that this objection to the protecting system is of recent origin? Up to 1824, the question had not been much considered, simply because the protection which manufactures had derived was merely incidental to duties imposed for revenue. The act of 1790 was surely of that character; and even the act of 1816 provided for a diminution, and not an increase of duties. But when, in 1824, the true character of this system was developed, the constitutional objection was plainly and strongly insisted upon. Here is the language, sir, that I, myself held on that occasion, on this floor.

"Will gentlemen point out to me, if they can, the power which this government possesses to adopt a system for the avowed purpose of encouraging a particular branch of industry. It is my sober and deliberate opinion, that the congress of the United States have no more power to pass laws for the purpose of directly or indirectly inducing any portion of the people to engage in manufactures, than they have to abolish trial by jury, or establish the inquisition."

Since that period, the legislatures of every southern state have denounced this system as a violation of their constitutional rights. It was but the last year, that S. Carolina recorded on the journals of the senate, her solemn protest against it "as utterly unconstitutional, grossly unequal, and oppressive, and such an abuse of power as is incompatible with the principles of a free government and the great ends of civil society." I do not know, sir, where the constitutional objections to this system are better summed up, than in the very address of the free trade convention of Philadelphia, to which the gentleman has referred for another purpose. The gentleman certainly is mistaken, when he relies on that exposition as an authority in his favor. Sir, as I understand the argument, it is only admitted incidental protection may be afforded by duties imposed only for revenue, but that the right is expressly denied of "imposing any additional duty for the purpose of affording that protection." I dismiss this branch of the subject, with the remark, that whether we be right or wrong in our views on this question, the opinion is conscientiously and almost universally entertained throughout the whole south, that the protecting system involves a gross violation of the solemn compact which is the bond of our union.

I come now, sir, to the question of the policy which ought to be adopted at this important era in the history of our government. We have arrived at a most interesting crisis in our national affairs—one to which the people have been looking up with intense anxiety for several years past. They have contemplated the extinction of the public debt as the great day of jubilee, when they were to be relieved from the oppressions which they have so long patiently endured? The people of the south, sir, like the children of Israel of old, have passed through the wilderness, and are now in sight of the promised land. They stand on the top of Mount Pisgah, and look, with delight, at the goodly prospect before them—and it is for you this day to determine, whether they shall perish in the wilderness, or be permitted to possess and enjoy their rich inheritance. Sir, I have shewn that the whole system of duties is oppressive and unequal—that the very action of the government is so—yet I do not wish, gentlemen, to suppose that we are disposed to push our claims to an immeasurable extent. No,

we will not ask that northern manufactures shall be taxed, because duties, to whatever extent imposed, operate as a tax upon our industry. We are willing to agree that the revenue necessary for the ordinary purposes of the government shall be levied by duties upon imports. The facility with which indirect taxes may be collected affords an argument in their favor to which we are willing to yield, though we well know that they must operate most injuriously on our interests. But, in yielding this much, we have surely a right to expect that no more money shall be levied in this way than shall be absolutely necessary. We think we have a right to insist, that on the extinction of the public debt, the twelve millions of dollars heretofore annually appropriated to that object, should no longer be levied; and, further, that no more money shall be raised than may be necessary to meet the ordinary expenditures of the government. Any other basis of reduction than this must be founded on the idea of a contemplated increase of the public expenditures. (And why should they be increased? We have rather a right to expect that they should be diminished. The principal objects of expenditure, for many years past, have been connected with preparations for war; but, with the progress of our works of defense, and the increase of our population, the necessity for this expenditure will, in a great measure, cease. Indeed it does appear to me that it will be hardly necessary, hereafter, to seek other security against invasion that will be found in the strong arms and stout hearts of our fellow-citizens. But the gentleman insists that our revenue shall not be reduced below eighteen millions of dollars, while we all know that twelve millions have heretofore furnished an abundant supply for every purpose, including a million a year for internal improvements. The gentleman admits that we ought not to provide for a surplus, and says, with great force and truth, that a division of it among the states would be a departure from all sound principles of government. For, said the gentleman, "to give it back to the states or the individuals from whom it was drawn, in the same proportion, would be a palpable absurdity; while, to distribute it in different proportions, would be an act of gross injustice." I submit whether this argument is not equally applicable to internal improvement. But, waving this point, I would ask, if we are to have no surplus, why raise eighteen millions of dollars—six millions more than the ordinary expenditures of the government? To provide, says the gentleman, for contingencies? But, sir, is it not morally certain that your receipts must exceed your estimates—the reduction of duties will increase importations—and, fix what standard you will, my life upon it, we shall have a surplus, and not a deficit, unless gentlemen mean to provide for some new grand scheme of national expenditure. Besides, against accidental deficiencies, a sufficient provision will be found in the uncalled for appropriations, always to be found in the treasury. Having shewn the extent to which the revenue ought to be reduced, I proceed to consider the mode in which that reduction ought to be effected. The first scheme suggested by the gentleman, is a continuance of existing duties on the unprotected articles, and carrying up the duties on protected articles to prohibition. The gentleman says, however, that he is not in favor of this scheme, because he would put the manufacturers on their good behaviour, by exposing them to foreign competition. But what sort of competition is that to which they are exposed, when entrenched behind a protecting tariff, ranging from fifty to two hundred per cent? I have shewn that the existing duties are, to a certain extent, prohibitory; and when the gentleman declares himself against prohibition, he seals the condemnation of his own resolution, which proposes to retain the existing system untouched, prohibitions and all.

I come now to the schemes advocated by the gentleman himself. To take off the duties entirely from all the unprotected articles, except wines and silks, and leave them as they are upon the protected articles.

The first objection to this scheme is, that it is proposed by it to take off only \$6,000,000 of taxes, even after the treasury is to be relieved from a charge of \$12,000,000 by the extinction of the public debt. That it proposes therefore, to create an annual surplus of

\$6,000,000 beyond the wants of the government, not only without the smallest necessity, but with the certain effect of changing the character of your government, and corrupting the people. Why is this surplus to be created? Has the gentleman given a single reason in its favor, or has he not himself sealed the condemnation of his own proposition, when he admitted that no surplus ought to be created for distribution for it is not to be in some shape distributed, for what purposes is it to be raised? The next objection to this scheme is, that it proposes to relieve luxuries from all taxation, while the taxes on the necessities of life are to remain just as they are; subject to duties of from 50 to 100 per cent. It is true that the gentleman, I presume, the enormity of the proposition in its original form, now consents that some very moderate duty may be levied on wines and silks. But, sir, I should be glad to know, in what wines and silks differ from the numerous other articles which, by the gentleman's scheme, are to come in duty free. Here is a list of some of them, and it will be for the senate and the country to say how far it is reasonable or just, that the consumers of these articles shall contribute nothing to the public revenue, while the honest laboring man is to be taxed from 50 to 100 dollars in every hundred dollars which he expends on the necessities, and the flannels, the arms and the sugar, which are indispensable to the health and comfort of himself and family.

"It is one of the grantees farces ever attempted to be played off upon a free people, to see an attempt made to reduce the taxes on olives and capers, anchovies and bramiy fruits, mace, cloves, nutmegs, precious stones, alabaster ornaments, corals, perumery, artificial flowers, billiard balls, battle-axes and shuttlecocks, coral beads and gold snuff-boxes, silver spectacles and ivory-headed canes, velvets and lace, mill muslins and goss de Naples, camel's hair shawls, morocco and prunella shoes, fine cambrics, plated chafing-dishes, porcelain and china dinner and tea sets, gold watches, Cologne water, Champagne and Burgundy wines, oranges and pine-apples, embroidery, ivory fans, fine Irish linens, parasols, centre tables, gilt books, pier looking glasses, vermelli, and macaroni, Italian marble, mantel ornaments, rouge, essences and court plaster, chessmen, sweet scented soap, silk stockings, gold and silver thimbles, mantel time-pieces, tooth-powder, wax dolls, and a hundred other things used by the rich. We say, it is one of the grandest farces ever played off upon a free people, that such articles as those we have enumerated, should be exempted."

I ask for the reason for this distinction which relieves luxuries from taxation, and throws them upon the necessities of life; which burdens the poor and exempts the rich, and I am told it is necessary to protection. Whose protection? Why, the wealthy proprietors of manufacturing stock; men who are realizing enormous dividends, drawn from the pockets of the people. Sir, no other reason for this distinction has been, or can be given; for it is acknowledged by all the world, that luxuries are the proper subjects for taxation, and ought rightfully to be taxed higher than the necessities of life. But here the manufacturers interpret their claims, and the scheme of justice are disregarded. Again, sir, these are articles of general consumption; at least among the wealthy; and consumed equally, too, all over the country; and yet they must come in duty free, and the whole revenue of the country be levied on articles, in relation to which, the duties operate most unjustly and unequally; being in truth a bounty to certain portions of the people, and a burden upon others; and yet the senator tells us he had hoped that such a proposition as this would not only have met the approbation of all parties, but would have been received as a concession to the complaints of the south. How it was possible for the gentleman to have indulged such an expectation, I am utterly unable to comprehend. Sir, what single concession, or the slightest approach towards it, is made by such a proposition? Does it consist in agreeing to take off six millions of taxes, when the demands of the treasury are to be reduced to double that amount? Has the south ever uttered one word of complaint against the duties which it is proposed to

reduce? No. These were imposed for revenue; and against duties fairly levied for that purpose, they have never complained. It is against duties, imposed not for revenue, but protection, that they have been so long and so earnestly remonstrating; and, to quiet their contents, the proposition is gravely submitted, to take off all the revenue duties, and to leave the protecting duties untouched. Sir, it is not so much the amount of this tax, as its inequality and injustice, which has roused the whole south to determined opposition. And how is it proposed to relieve our complaints? By aggravating that inequality, and extending and perpetuating that injustice. We tell you that the protecting duties operate as a tax upon us, and a bounty upon the tariff states. We insist that it is a violation of the principles on which our government is founded, and reduces us to a state of colonial vassalage; and this it substantially does, if we are not mistaken in its operation, and Mr. Gribble's definition of a colony is the true one—"a country governed in reference to the interests of another."

Sir, if we are right, this scheme amounts to neither more nor less than a proposition to relieve the tariff states from all taxation, and to throw the whole burden of the government upon the other states. It is admitted, that the protection enjoyed by the former, even now exceeds the amount of the taxes which they pay, but still they do pay their equal portion of duties on the unprotected articles. But when these are taken off, they will be relieved from taxes altogether. Gentlemen who now hear me, well remember, that when the tariff of 1828 was under discussion here, a senator from a tariff state rose in his place, and supported the bill on the single ground that it operated as a bounty of a million of dollars per annum to the state he represented. Let us assume that calculation to have been correct; and that the state in question now pays half a million in taxes on the unprotected articles. When you take off the tax and leave the bounty, the bounty will obviously be increased by just half a million, and the state in question will be relieved entirely from taxation. Such is the compromise proposed to the south. The evils of which we complain are to be increased—the protecting system is to be rivetted upon the country beyond all hope of relief, and, we are told, we might to receive all this as a concession. Sir, we say to you, we are willing to submit to have the foreign manufactures for which we exchange our productions taxed for revenue, though we know that such tax must operate as a bounty to the domestic manufacturer; and so far diminish the value of our productions, but we invoke you not to aggravate the injustice and inequality of this system, by extending the tax beyond the just revenue standard, and by so arranging the duties as to throw the burden entirely upon the protected articles to relieve the tariff states from all taxation, and to throw the burden entirely on us. Above all, we call upon you to remember, that the British manufactures on which you propose to throw almost the whole burden of the government, are those which we receive in exchange for our productions—that to burden them is to burden us, and that the end of all this may, and probably will be, that we shall be deprived of our best customers, and be cut off from the only sure market for our cotton, rice and tobacco.

The policy proposed in the amendment which I have submitted, is founded on the just principles I have advocated. The arrangement of the details we are willing to leave to the committee. We do not propose to destroy, or even to injure, the manufacturers. We are willing they should have the incidental protection afforded by a fair revenue system, and on any plan of reduction, the duties and charges on the foreign manufacture will not fall much short of 33 1/3 per cent.; and surely, sir, if, with a protection equal to one-third of the cost of the article, our manufactures cannot be maintained, they ought to be abandoned at once, since nothing can be clearer than that they would then be sustained at a certain loss to the country. We do not insist on an immediate reduction, to the lowest revenue standard. As the public debt is not yet paid, we are willing that the reduction on the protected articles should be gradual—

and spread, if gentlemen please, over two or three years; and, if they desire it, we will not object to making an immediate reduction on the unprotected articles, of 10 or 15 per cent. The immediate effect of this plan, so far from being injurious to the manufacturers, will, I am persuaded, serve rather to strengthen them, and even in its ultimate results, no manufacturer will be injured that does not depend on protection for its existence, and is not sustained at the public expense. Suppose the duties on the protected articles were now reduced ten per cent. below their present rates, and by subsequent steps carried down gradually to the true revenue standard, what would be the effect of this first reduction of ten per cent.? If a yard of English cloth cost a dollar, paid a duty of fifty per cent., and, with the addition of charges, could be retailed at two dollars, the effect of this reduction would only be to reduce the price to one dollar and ninety cents. So that the protection to the American manufacturer would be lessened only five per cent. Now if this provision were accompanied by an immediate reduction of the duties on the unprotected articles from fifty per cent. to fifteen, would not the manufacturers derive some compensation in the diminished cost of every article which enters into their consumption? and if, in addition to this, there should be a considerable reduction of duties on the raw material, I would submit to their serious consideration whether their condition then would be worse than it is now. The true policy of the manufacturers, it appears to me, consists in obtaining their raw materials cheap, and having their expenses diminished by taking off unnecessary taxes on their consumption. Sir, if this is to become a manufacturing country, we must look to the markets of the world. A feeble and sickly existence may be preserved at home by a system of protection and of bounties—but to be put on a sure foundation, and to acquire that vigor, strength and energy, which will enable them to enter into successful competition abroad, with the manufactures of other countries, it is necessary they should be prepared for the contest, by being left, in a great measure, to their own unaided efforts. In one respect, the U. States possess an advantage over all the world, of which it seems to me, it would be madness not to avail ourselves. We can reduce the cost of production in every department of industry, to the very lowest rates. Our people are not necessarily borne down by an almost insupportable weight of taxation. We have no debt which can never be paid—no burthenous establishment—no kings, lords and commons, to eat out the substance of the people. In this consists our great advantage, and it will be our own fault if we do not avail ourselves of it to the fullest extent. This, sir, is not only the favorable moment for adjusting this great question, but if it be suffered to pass away, it can never be recalled. The manufacturers now can be let down without a shock, from the position to which they have been so unjustly elevated. They will now be remunerated for any diminution of their protection; but if the plan proposed in the gentleman's resolution should prevail, the immediate effect will be an *increase of their protection*, an enlargement of their bounty, and, of course, if these are to be reduced hereafter, the shock will be much greater than to that to which they would now be subjected. Sir, I do consider that, in making my proposition, I am proving myself a true friend to the manufacturers—and that they are their worst enemies (whatever they may themselves believe) who would adopt the policy embraced in the gentleman's resolution. In this opinion, sir I find I am not singular. The manufacturers themselves, and some of their ablest and most zealous advocates, have avowed the same sentiments. In a work just put into my hands, containing an exposition of evidence, about to be submitted to congress, in support of the memorial of the free trade convention, lately convened at Philadelphia, (a work to which I earnestly invite the attention of every member of this body,) I find some extracts from the Register of Hazzekiah Niles—certainly one of the most uncompromising champions of the protecting system—which furnishes decisive authority in favor of my opinion. I there find a letter from a person who is represented to be an extensive manufacturer, in which he says:

"The only true friends of the manufacturers are those who now seek to repeal the ridiculous tariff of 1825. Put a duty of revenue alone on cloths, and remove the duty on wool. It would be much better for us, if we were placed in England; for we could there, with our present hands and advantages, make cloth, send it to New York, pay the duties, and take more money than we do now. The difference is in the stock; and this difference is attributable to the absurdities of the American System, as it stands. The duties on dye stuffs, oil, soap and wool, taken in connection with the derangement of trade, by making the manufacturer an exporter, amounts to a much higher protection to the foreigner, than all the tariff affords to us. Such are the facts, and such the fruits, of the 'system' which the American manufacturer has tolled to support."

Thus, sir, it will be seen that we who propose to repeal the tariff of '25, "are the only true friends of the manufacturers," and that they are their worst enemies who are striving to perpetuate the "absurdities of the American System." Next we have the opinions of Mr. Niles himself, "that the act of 1825 was the result of a political bargain, and passed on principles disreputable to a congress of the United States," in which the enlightened author of the exposition very justly adds, "that no thing can be more obvious than the folly of pretending to encourage manufacturing industry, and at the same time to tax the raw materials, rum, hemp, flax, wool, lead, indigo, and other component parts of manufactures, and constituting the principal value of them, from fifty to two hundred per cent.," And here I am willing to rest my case.

The act of 1828, Mr. Niles affirms, "was the result of a political bargain, and passed on principles disreputable to a congress of the United States."

The gentleman complains of *funds upon the revenue*—and fraudulently involves, and smuggling—but it is *his system* which has produced these evils. Smuggling, from the very nature of things, must exist, when the duties exceed the risk and expense of the illicit intercourse. For a reason, sir, the high moral sense of a young and uncorrupted people, may oppose some obstacle to these practices. No government on earth can prevent them. Napoleon, in the plenitude of his power, was unable to maintain his continental system. His prohibitions and restrictions were constantly violated with impunity.—Yes, sir, he who spouted with kingdoms, who constructed thrones on the ruins of empires, and appointed the officers of his household to bid them; whose armies were his custom house officers who drew his couriers around the nations which he conquered, was utterly unable to put down the great principles of free trade. It has been well said, sir, "that when all Europe was obedient to his nod—the smuggler disposed his commands, set at naught his edicts, laughed to scorn his power, and overthrew his policy." How is it with England, that a girl is surrounded with a thousand shops, and thirty thousand guardians of her revenue? Sir, do we not all know that smuggling is there a profitable trade, and that the revenue laws of England are constantly violated with impunity? And how is it in Spain? A modern traveler asserts that there are a hundred thousand persons in that unhappy country who live by smuggling, and that there are thirty thousand others, paid by the government, to detect their practice, but who are in league with the offenders; and as to the condition of things in our own country, the gentleman has told us a tale this day, which, if he be not himself deceived, shows what fearful progress these practices have already made. The time was when smuggling was absolutely unknown any where, in this country, as it still is in the southern states. It is now a protecting system which has introduced it. It is the natural consequence of high duties—the evil was foretold, and, as we predicted, it has come upon us. The protecting system has already, in the minds of many, removed the column which formerly rested on this practice. It was but the last year, that a distinguished senator rose up in his place here and held this language: "Your tariff policy compels respectable men to violate your law; you force them to disregard its injunctions, in order to elude its oppression. It was his perfect conviction, that there was not a virtuous man throughout the union, who would not think a cri-

minimal to smuggle into the country every article consumed in it—and why? Because you force them to it in self defence." Sir, when these sentiments shall become prevalent, what think you will become of that system? How long will it last after the payment of duties shall come to be considered as a badge of servitude?

Mr. President, the proposition of the senator from Kentucky is, that the protecting system, as it now stands upon your statute-book, shall remain untouched—that all its contradictory provisions, its absurdities, injustice and inequality, shall be maintained inviolate. Let us look, then, at some of the existing provisions of this system. Some of them, in the exposition to which I have before referred, are detailed with a clearness to which nothing can be added by me. Here are tables of the duties on woollens, flannels, baizes, and carpeting, ranging from forty-five to upwards of two hundred per cent. I will read a few extracts in illustration of the effect of these duties.

[Here Mr. Hayne read several extracts from the work in question, showing that the duties on coarse woollens, such as are used by stage drivers, watermen, and other laborers, for great coats, pea-jackets, &c. are so exorbitantly taxed, as to raise the cost of the articles to about three times the price which the English laborer has to pay for the same kind of clothing;—that the western farmer, in consequence of the high duty, is compelled to pay four dollars a yard for cloth which costs the English farmer but one dollar seventy-five cents; that flannels, so indispensable to all the women and children in the country, are subjected to a duty of from ninety to a hundred and fifty per cent., whereby an article which cost in England from eight to nine cents, is sold here for twenty cents, and that which cost in England twenty-nine cents, our manufacturer can obtain fifty cents for; that cottons are charged with a duty of from twenty-five to two hundred per cent., whereby the cost to the American consumer is, in many instances, increased one half; and that the duty upon iron is from an hundred and fifty to two hundred and eighty per cent. On this point, Mr. Hayne read from the report on the blacksmith's petition, made to the senate during their last session, and quoted the testimony of John Sarchet, a witness examined on oath before the committee, from which it appeared, "that under the existing rate of duties, a ton of hammers and sledges can be imported, for the use of the American manufacturer of those very articles, at a less cost than the bar iron from which they are made; that wheel-tire has actually been imported, in a finished state, for about forty-seven dollars a ton, while bar iron, suitable for the purpose, is selling for about ninety dollars the ton; that tea-trays can be imported for half the price of the raw material out of which they are manufactured; knitting needles for a hundred and forty-three dollars a ton less than the raw materials out of which they are made; that a ton of chain cables can now be imported into this country at a less cost than the rods out of which they are made; and that the necessary consequence has been, that a number of workers in iron, and of mechanics, estimated at one hundred thousand, had their profits so diminished, that Mr. Sarchet had declared, that he had never seen any blacksmiths so poor, or carrying on a less prosperous business, than those of the United States, owing as he believed, to the high duties they are compelled to pay on the raw iron."]

Look, continued Mr. Hayne, through your whole protecting system; your duties every where are so arranged as to fall most heavily upon the poor. The poor man is taxed five dollars upon a coat, which cost him ten, and a rich man ten upon one which cost him forty—a tax of eight dollars upon coarse cottons for his wife and children, which cost no more than eight; and the rich man but eight dollars, for what costs him upwards of thirty. Can any thing be conceived more monstrous than the system of *minimums*, to impose a duty of twenty-five per centum *ad valorem* on cotton goods, but provide, that, if they should cost less than thirty-five cents per square yard, they shall be deemed and taken to have cost thirty-five cents and pay duty accordingly—to provide that a duty of forty-five per centum *ad valorem* shall be imposed upon woollens, but provide that goods which cost more than one dollar, shall be deemed and taken to have

cost two dollars and a half. This is like imposing an income tax of fifty per cent. and then providing that every man's income shall be deemed and taken to be three thousand dollars; or a tax of fifty cents per gallon upon stills, and providing that every still shall be considered as containing fifty gallons. Now, are gentlemen prepared to say that such a system as this, with all its imperfections on its head, is to be held as sacred as the laws of the Medes and Persians? I trust not.

Let not gentlemen so far deceive themselves as to suppose, that the opposition of the south to the protecting system is not based on high and lofty principles. It has nothing to do with party politics, or the mere elevation of men. It rises far above all such considerations. Nor is it influenced chiefly by calculations of interest, but is founded in much nobler impulses. The instinct of self-interest might have taught us an easier way of relieving ourselves from this oppression. It wanted but the will, to have supported ourselves with every article embraced in the protective system, free of duty, without any other participation on our part than a single consent to receive them. But, sir, we have scorned in a contest for our rights to resort to any but open and fair means to maintain them. The spirit with which we have entered into this business, is akin to that which was kindled in the bosom of our fathers, when they were made the victims of oppression, and if it has not displayed itself in the same way, it is because we have ever cherished the strongest feelings of confraternity towards our brethren, and the warmest and most devoted attachment to the union. If we have been in any degree, divided among ourselves in this matter, the source of that division, let gentlemen be assured, has not arisen so much from any difference of opinion, as to the true character of the oppression, as from the different degrees of hope of redress. All parties have for years past been looking forward to this crisis for the fulfilment of their hopes, or the confirmation of their fears. And God grant that the result may be auspicious.

Sir, I call upon gentlemen on all sides of the house to meet us in the true spirit of conciliation and concession. Remove, I earnestly beseech you, from among us, this never failing source of contention. Dry up at its source this fountain of the waters of bitterness. Restore that harmony which has been disturbed, that mutual affection and confidence which has been impaired. And it is in your power to do it this day—but there is but one means under heaven, by which it can—by doing *EQUAL JUSTICE TO ALL*. And be assured, that he to whom the country shall be indebted for this blessing, will be considered as the second founder of the republic. He will be regarded, in all after times, as the ministering angel visiting the troubled waters of our political dissensions, and restoring to the elements its healing virtues.

I will conclude by invoking the authority of one whose name is deservedly dear to the American people; whose life was the practice of virtue; from whose lips there constantly flowed the lessons of political wisdom, and whose example will be to the remotest generations a light to our feet, and a lamp to our path. The restorer of that liberty which Washington achieved; the man "who saved the constitution even at its last gasp"—I mean *THOMAS JEFFERSON*.

In Mr. Jefferson's inaugural address, he bears the following strong testimony in favor of the true American System:

"Entertaining a true sense of our equal rights to the use of our own faculties, to the acquisitions of our own industry • • • enlightened by a benign religion • • • with all these blessings, what more is necessary to make us a happy and a prosperous people! "Still one thing more, fellow-citizens—a wise and frugal government, which, restraining men from injuring one another, shall leave them otherwise free, to regulate their own pursuits of industry and improvement—and shall not take from the mouth of labor, the bread it has earned. This is the sum of good government; and this is necessary to close the circle of our felicities."

That God may inspire us, gentlemen, and all who are entrusted with the administration of our public affairs, with such dispositions, is my constant prayer to Him who holds in his hands the destinies of nations.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 23—Vol. V.

BALTIMORE, FEB. 4, 1832.

[VOL. XLI. WHOLE NO. 1,063]

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

“We must do, as they do in Holland—as well as we can.” The “innopoly” of the last number, by Mr. Hayne’s “free trade” speech—for he is an “over-grown capitalist” in his ways—threw out of their regular, and perhaps, *rightful* place, many articles not less interesting than that which he supplied us with; and now we have the long and exciting speeches delivered in the senate, when the nomination of Mr. Van Buren was under consideration. We have dropped every thing that we could, to make room for some of these speeches; and so much do we suppose that our readers would wish speedily to have them all, that a supplement would have issued, had not the early winter, with the late new edition of intensely cold weather, nullified our usual supply of paper. These speeches are so arranged that there will be no break in the matter, when the volume is bound—provided, that we can get into the next number the balance of them. We publish those of Messrs. Chambers, Clayton, Foot, Webster, Clay and Holmes, and have on hand those of Messrs. Frelinghuysen, Pinckney, Miller, Webster (a second speech), Ewing, Moore and Marcy. We also have the nomination, if furnished. And there are many independent or dependent papers and circumstances, that should be noticed—for reference. We shall do what we can to present the facts to our readers; for they are, or will be, subjects of much and ardent popular discussion.

The current proceedings of congress are cut down to the lowest minimum, compatible with a record of the chief things happening. We shall have to go back to them, and especially to insert the sketches of certain speeches of Messrs. Benton and Buckner, and others.

A forcible entry however has been made into this sheet, for an exposition of the proceedings of the executive committee of the New York convention, and an exhortation to all who support the American System, that important facts may be collected. For several weeks we have desired to insert something of this kind—and hence the resolution to postpone it no longer; yet in truth, there is enough matter on hand almost to appal us, though long “accustomed to look” on blackened paper and grinning types “with composure!”

P. S. When the preceding article was just making-up for the press, the Washington papers of yesterday, (at a much later hour than usual), were received; and the manly and generous disavowal of Mr. Hayne, with respect to certain errors into which he had been inadvertently led concerning the editor of this paper, (see page 414), has caused the withdrawal of a paragraph of some length, excusing the delay that had unavoidably taken place, in noticing his speech as it then appeared to “merit”—from which we are quite willing to be excused, such things being always unpleasant; and our thanks are due both to Mr. Hayne and to Mr. Clay for the brief proceedings had on the occasion.

A short sketch of the opening of Mr. Clay’s speech is given in our account of the proceedings, and the National Intelligencer says—An immense crowd attended the senate yesterday, to hear Mr. Clay’s second speech on his resolution, in reply to Mr. Hayne. Not only were all the seats without the bar, but all the space within, not actually occupied by the senators, was filled with ladies; and every part of the lobbies and galleries was packed with eager auditors. It is our custom, not to describe speeches, or to speak of their merits; but to report them, and let our readers judge for themselves. We shall be pardoned, however, on this occasion, for departing from our usual reserve, so far as to express the general opinion of the speech of yesterday; and that is, that it was equal in all points—in power, in eloquence, and effect—to any of Mr. Clay’s best efforts of former days.

VOL. XLI.—No. 29.

[A call of the house of representatives was made because of the absence of the members to hear the speech of Mr. Clay.]

General Smith, of Maryland, in his speech in the senate last Monday, on Mr. Clay’s resolution, among other rather strange things, is reported to have said, “there was, at the commencement of the session, a disposition, on all hands, to lessen the excitement attending this subject [the tariff]; but since the arrival of the lobby members that disposition had now partly declined.” “He now saw very little reason to believe that any thing would be done, at this session, to relieve or conciliate the south.”

Gen. S. does not say what “lobby members” have brought about a state of things which he so much deplores; but it would seem that he had opened only one of his eyes to look at the “lobby;” for the free trade “lobby members” cannot have been charged, by him, with the want of a disposition to “RELIEVE” the south! These have been only three gentlemen attending on are not misinformed, was the exact amount of the “free trade” delegates last week—perhaps reinforced since then. And the delegates, on either side, have just about the same right to hold and express opinions, in the “lobby” or elsewhere, (except on the floor of the senate), as the venerable senator himself. At any rate, we think that such a right should belong to every American citizen!

We have not the pleasure of an acquaintance with the gentlemen composing the “free trade” delegation—yet dare say they are honorable men: but we know those who represent the interests of the free working people of the United States, and will do all that they can to oppose a placing of these in competition with the white slaves or pauper-laborers of England. They need not the certificate of gen. Smith for good conduct and *steadfastness to principle*; nor will his assaults affect them; but we leave it to the senator to pronounce on the *magnanimity* of attacking private gentlemen, who have no means of repelling his bitter effusions. Time was when a senator of the United States would not have thought of such a thing—but the new practice takes date from the entry of Mr. Ritchie’s “nuisance and curse” into that body—and the senate is no longer what it was. Such is a common remark of every one capable of making just comparisons of the present with the past. This is not written in soreness, because of any attacks that have been made upon myself, in either house of congress—I have a machine in my hands, and it is *my own*, as powerful as the tongue of the best of them, and care not “who cries aloud and spares not,” as the “honorable George Kremer” cried, and then—*died*.

As to the matter stated, perhaps I know a little more about it than gen. Smith. If the change that he speaks of has taken place, it is not the reason that the *minority demands an absolute surrender of the principle of protection*; and then, and not till then, will they render any good feelings into a consideration of the subject at large; and the *moderation and modesty* of this proceeding, may have had effect to call up the resolution of the majority to pursue its own purposes. Our friends, if we understand them, have no indisposition to inquire into the expediency of any of the duties assessed, at a proper time for it—but they cannot believe that there is not *constitutional power* to preserve the independence of the United States, and promote the “general welfare” of the American people.

When correcting the proof of the preceding remarks for the press, we first saw a full report of the speech

of general Smith. It appears that his reference was special and direct, to "those interested men (who) hang upon the committee of manufactures like an incubus," as he says; and he exhorted the committee to "depend on their own good judgments!" &c. He also gives us to understand that the hatiers and workers in leather, &c., have "excluded foreign imports"—but does not tell the people why. It is for the reason that, at an early period, the country was blessed by an efficient protection of their businesses, which remains to this day—such protection as was asked for by "the tradesmen, mechanics, and others of the town of Baltimore," in April, 1789—being the first petition for protection ever presented to congress, and signed by the venerable senator, among others—though now he has, in a note, expressed a doubt of the "constitutionality" of the tariff of 1828.

¶ The undersigned, chairman of the permanent committee of the New York Convention, believing that a statement of the proceedings, prospects and designs of the executive branch of that committee (which is located at Baltimore), is due to the members of the convention, and their constituents, the friends of domestic industry in every part of the United States, has prepared the following exposition.

The address to the people, agreed upon at New York, and the following reports of special committees, have

On the manufacture of iron and steel;
On frauds on the revenue;
On the manufacture of salt;
On the manufacture of hats;
On the currency, as affecting or affected by the protecting system;

On the manufacture of cabinet wares;
On the manufacture of sugar and molasses;
On the tariffs of Great Britain, France and Russia;
On the coasting trade and interior commerce of the United States;*

On the subject of chemistry, as connected with manufactures and the mechanic arts;*

And a general report, or rather estimate, concerning the growth and manufacture of wool, from the committee on the latter.

They also published the journal of the proceedings of the convention, containing several reports on different subjects.

Two other reports have been received—one upon "the effects of the existing tariff upon agriculture and manufactures and the mechanic arts," &c.; and the other, concerning the product of silk, hemp and other agricultural materials; but these have been suspended by the executive committee, because of important additional information expected to be derived from the reports of other committees,—and without which, the first especially, they thought, could not be regarded as meeting the views of the convention. It will, however, be prepared as soon as the nature of things will permit, with much zeal to bring out the facts which belong to a subject so interesting.

Reports from the following committees are yet to come in, and we know that earnest efforts have been made, and are making to collect the facts appertaining to several of these important concerns:

On the growth of wool;
On the manufacture of wool;
On the manufacture of cotton;
On the manufacture of paper;
On the manufactures of glass, porcelain, &c.
On the manufactures of leather;
On the manufactures of lead;
On the preparation of madder wood, weld, &c.

The executive committee are also advised, that the memorial to congress will be forwarded by the committee appointed on that subject, very soon after the publication of the memorial of the Philadelphia "Free Trade

*It would, perhaps, be more correct to say that these are in type, and will be published in a few days.

Convention."† As our course was rather defensive than otherwise—this delay has been considered indispensably necessary, for we have not agitated a general revision of the tariff, so far as its protecting principle is involved, at the present time—though hoping that some improvements of existing laws may be made, to assure the payment of such duties as have been imposed for the encouragement and support of American industry.

The said committee have also the pleasure to say, that a vast amount of general statistical information is being collected, by industrious and intelligent friends in many parts of the United States—to shew the intimate connexion that exists between all the great branches of production, and how the population, wealth and power of our country is advanced, and its independence made sure, by happy combinations of the interests of agriculture with those of all the rest of the arts or employments of labor, skill and capital. All these things will be digested and prepared for publication—and, with the statistics already collected, or being collected, by the chairman and his colleagues, perhaps, present one of the most interesting views of our national affairs ever yet offered to the American public. The labor, truly, is great—but the purpose may well be called a noble one. It is—that we may know our own resources and our own strength: in the knowledge of both which we are miserably deficient. Without this knowledge, it is impossible that we can successfully meet the "regulations of trade" of other countries, or perfect a system for the permanent good of our

The delays that have occurred were, or are, inseparable from the exceeding difficulty that attended, or attends, the gathering of facts desired. Those concerning iron, so ably set forth in the report on that subject, were the fruits of several months previous application of those interested in that leading branch of manufactures; and a further supplementary report is expected, which will put the public in possession of all the information concerning it which can be hoped for at the present time. A variety of circumstances—chiefly originating, or dependent upon, the long and disastrous wars of the French revolution, had caused a general looking to things abroad, and disregard for things at home. Hence we have none of those official statistics which are so important in the legislation of other countries; and hence the advantages which they have constantly held over us—such as would have beggared a nation less favorably conditioned than we are. Except as to the geography, population and history of the United States—with an account of the financial and other concerns of the government, and the annual treasury tables, (meagre and imperfect as they are) relating to our foreign commerce and domestic tonnage, we have nothing wherewith to build a sound legislation. The products of our soil, factories, workshops—forests, mines and fisheries— inland and coasting trade, &c. &c. though having a general aggregate value of at least twelve, if not fifteen hundred millions of dollars a year, &c. are all left to speculation, or individual opinion, to be ascertained only by individual efforts in the cause of political science, and the collection of hundreds of thousands of individual items, requiring no small degree of zeal, talent and time. No other prosperous country is thus situated—no other so deficient in the knowledge of its means or greatness; and hence none have been so negligent to

† This memorial has just been presented.

§ This mighty sum will startle all persons who have not reflected upon the subject, and yet I stand prepared to contend that it is a moderate one. It takes in all the subsistence, clothing, and shelter of thirteen millions of persons—all the building and repair of houses, vessels, &c. all the labor expended in every sort of public or private improvement or accommodation—in brief, all the articles supplied for the use of man, involving the business of every individual who does any thing which gives value to lands and all other sorts of property. We must believe that their united values exceed 100 dollars for each individual per annum. The mere animal cost of a slave is about half this sum.

invigorate its natural or artificial resources, as our own. Had one hundred thousand dollars been applied, in a series of years, to collect authentic statistical information, it is very possible that one hundred millions would have been saved to the nation in the last war; and if the public expenditure and private loss by that war be estimated at 400 millions—that large sum would sink into insignificance, compared with the wide-spread ruin that followed the peace, and proceeded onward with terrific force, more than twice as long as the war had continued—when the products of our fields were without a market, and hundreds of thousands of worthy persons were violently cast from the productive into the consuming classes of the people, because of the want of a DEMAND FOR LABOR, the want of wealth and surety of abundance. The domestic industry was laid prostrate at the feet of foreign producers—an awful appreciation of the rate of the currency followed, and valuable estates were sold for "pepper corns." Who can look back to the state of things in 1820, 1821 and 1822 (long before which we ought to have recovered from the effects of the war, as well as the effects of the peace), without shuddering—without having every faculty within him aroused to prevent a recurrence of the withering and blasting desolation then felt? Freedom from slavery cannot be expected—but PROVIDENCE has granted the use of means to mitigate what cannot be altogether avoided—and we cannot hesitate to believe, that a chief part of the evils just and ~~which~~ their origin and existence in the want of the profound ignorance that prevailed as to the means and resources of our country—or a prudential disregard of its vital interests. And as to this willy looking abroad for prosperity! It is like to the abandonment of one's own wife and children, to find comfort in gambling-houses and drug-shops—a giving up of domestic enjoyments for ruinous excitements! The whole foreign consumption of our great staple cotton, has no more value than the home manufactures of that material; the aggregate value of the cotton, tobacco and rice exported, is less than that of leather manufactured; and the whole foreign demand for flour does but produce a sum equal to the straw hats and bonnets and laces used by our females, which are, however, chiefly supplied by the appropriate and profitable employment of others of our fair countrywomen. Thus we might proceed with many other like comparisons—but these are sufficient. And these statements are certainly, in general, correct; yet, while every pound of cotton, pound of tobacco, pound of rice, or barrel of flour—nay, every alligator skin or bunch of onions exported, has a record, and is rung in the public ear and made consequential by a thousand repetitions—not one line, as it were, is *effluently* written to show the mighty values created and used at home—of that incalculably important inter-national trade which, in its first exchanges only, is twenty times greater than all our foreign commerce. The government is as ignorant of all these as of the interior concerns of Kamtschatka. When the present writer first began to publish essays in favor of domestic industry—and when he afterwards first attempted to grapple with the gigantic values produced and consumed in the United States,—thousands thought that "depletion and a straight jacket" were necessary for him—but now believe that the words which he uttered were those of truth and soberness. But yet we are far distant from the whole truth. The subsistence, and clothing, and shelter—necessaries, comforts and luxuries—business and concerns, of the thirteen millions of persons who inhabit the United States, have an aggregate value far beyond the most sanguine calculations that have been made of them; and it is to be hoped, that, (though nothing more than an approximation to real values can ensue from the present labors of the friends of domestic industry), a sufficiency of facts will be ascertained, to fill the mind of every lover of his country, and his kind, with delightful astonishment.—What sacrifices of time and talent, and even of health,

Our tariff is spoken of as excessive—but its general per centum on the necessities, comforts and luxuries of life, is very small, compared with the general rate of duties levied on importations of foreign commodities, by the leading nations of Europe.

might not the patriotic rightfully encounter, in this great and glorious exertion?

But our present purpose is not to discuss the great principles and mighty operations of the American System; the preceding remarks, however, naturally occurred, when there was occasion to speak of the want of statistical knowledge. Hundreds of millions might have been saved, (as hundreds of millions would yet accrue,) were the people of the United States well acquainted with the resources and the wants of their own country. Then would a moral power be exerted that must restrain members of congress from adopting the wilful falsehoods or gross blunders of questionable persons—then would drivelling speculation and contemptible theory be forced into submission to practical truths—for it would be written as with a sun-beam on the minds of the people, that profitable employment, or high wages paid to the working classes, (if the phrase suits better), is the best possible evidence under heaven of a nation's prosperity—unless the nation be made up of MASTERS and SLAVES; senseless producers and prodigal consumers of values.

To proceed with the details of our business. Of the address to the people, and report on the manufacture of iron and steel, large editions were published, and have been widely distributed—though at much increased labor and trouble, because of the early and sudden close of the navigation; and it is contemplated to publish heavy editions of some of the reports yet expected, if, because probable ~~and very common~~ ^{and very common} through friendly newspapers. Of the reports, generally, from 4,000 to 6,000 copies have been printed, and of these 3,000 have been laid aside, that the members of the convention and others, may be furnished with complete sets, in book-form,—and the rest be placed in the hands of members of congress, and other persons, whose particular duty, or business it may be, "to promote the general welfare"—and to these reports, it is expected that the executive committee will add a large quantity of more general matter, or interesting facts. They are aware of the extent of the arduous and responsible duties that have been assigned them by the convention, but are entirely willing to execute them, as soon and as well as they can.

In consequence also of the excessive tax on the postage of pamphlets,* not periodical, as before observed, the labor of distributing the reports has been increased. Yet the desired result has been nearly brought about, through the aid of numerous friends. But more fully to accomplish this great object, an arrangement has been made by which the undernamed, as editor of the REGISTER will, (without profit to himself), publish all the reports as *addenda* to his work, and thus give them a great circulation, at a cheap rate, to all parties. A whole sheet of them, in small type, would have been forwarded this week, but on account of a deficient supply of paper in season for it. Hereafter, there will be less complaint, with reference to any of the matters now alluded to—whether because of postage, to which persons may be subjected, or for neglect, in not forwarding the reports; so that between the two, and the carelessness of some who ought to have taken a part in this business, certain districts have not been so well supplied as it was desired that they should be, yet the general distribution has been satisfactory, except that it has been accomplished with too much personal trouble.

The executive committee have not been unmindful of that important part of their duty which respected proceedings at Washington, during the session of congress—and delegates also have been appointed to attend, to make such explanations, or enforce such arguments, as the good of the common cause might seem to require; and they will be strengthened as need shall demand—arrangements having been made to keep a close and intelligent view of the proceedings had, or expected to take place—for our opponents are fairly in the field. It may be well, perhaps, to observe,—that present prospects justify a belief, that the protect-

*Which has been much complained of by some, as unjust, as it is, and not a little embarrassed our operations.

ing system will be preserved and extended, as the supply of materials and perfection in the manipulations of them shall render the latter necessary. For one example—the late crops of wool are estimated as having been worth 20,000,000 dollars each, and its various manufactures, (including other materials), at 20 millions more—together 40,000,000 dollars. The supply of domestic wool has now probably reached about seven-eighths of the whole quantity required for the woollen cloths consumed. This product of agriculture, directly employing a capital, in sheep and lands to feed them, to an estimated amount of 145 millions, is protected by an average duty of about 65 per cent. on its foreign value—and this duty, because of the specific nature of the commodity on which it acts, is paid, to secure the American market for wool to American farmers—unless the price of domestic wool be raised so high by speculation, or from other causes, as to compel the payment of the high duty just stated. In this state of the case, so interesting to agriculturalists, it would seem absolutely necessary that the domestic manufactures of wool should obtain all the protection designed for them, and frauds at the custom houses be prevented—for our wool cannot find a market abroad, except at prices which would prohibit the exportation of it—and the good of the American wool-grower can only be secured in the protection of the manufacturer. Mr. Cumbreleng, and others, (on the same high-pressure principle that induced him to put down the coasting tonnage of Great Britain, at *one penny*, and *one cent*, and *one farthing*, exaggerated, or extreme statements, as to the duty imposed on foreign woollens. It may be possible, that the high duties put down, can accrue—but that they do accrue, (unless in solitary cases, like atoms compared with elephants), no reflecting man will believe; and the beggarly case made by certain lawyers at Charleston, (recorded in page 68, of the current volume of the REGISTER), got up for the purpose, proved too much. It proved, that certain cloths imported, and sold at the "market price," yielded only a profit of six cents a yard, *YAKS* or *BUTTS*. And, while, the duty paid on wool is 65 per cent. *ad valorem*, we are entirely satisfied that the duty really paid on woollen goods does not amount to 45 per cent. the very minimum of protection which it was designed by the law to extend to the domestic manufacturer of cloths; and without this protection, it would seem impossible that the growth and manufacture of wool can be successfully followed. The deep interest that agriculture has in this matter, will cause it to be respected. One of the most successful and venerable farmers of Pennsylvania, says, in a letter to the present writer, that in every hundred dollars worth of woollen cloths manufactured in the United States, from domestic wool, the farmer has seventy-five dollars for materials and other supplies furnished to the manufacturers—and such is, doubtless, very near the truth. Indeed, the manufacture of woollen goods is rather an agricultural interest than any other, and as such and on every other account, has strong claims to the support of patriotic statesmen. Some like remarks might be made on fraudulent importations of iron, &c. but the one case is sufficient.

Because of the near approach to a final redemption of the public debt, by the steady and powerful operation of the sinking fund established in 1816, a reduction of the revenue, derivable from goods imported, is imperiously called for, and should promptly be made. It is our opinion, that a law will be passed at the present session to abolish or reduce the duties on all imported commodities which do not interfere with the pursuits of American industry; and also, that no other general alteration in the tariff laws will just now be made. If so—time will be allowed to test the operations of a reduced revenue, and to estimate the force and necessity of the protecting system, as at present established—as well as to collect facts and interchange opinions, with reference to all such articles as may yet need the paternal care of an enlightened government, that plenty may abound, and prosperity bless the republic.

In conclusion, we would earnestly exhort every member of the late convention, as his especial duty and eve-

ry friend of domestic industry whithersoever located in the United States, as a patriot—to vigilance in the collection and transmission of statistical facts, relating to the interests of agriculture, manufactures and the mechanic arts, and navigation and commerce, coasting, interior or foreign—with the number of persons variously employed, and subsisted, designating their ages and sexes in all possible cases, with the amounts earned by labor and capital, and such other particulars as may suggest themselves as being proper to guide the public judgment to correct conclusions, as to the real state of our domestic resources. The aggregates given in the note which is added, concerning Hampden county, Massachusetts, will serve as a general instruction on this subject. If we had such a report from every county of every state in this union, and the whole were patiently and faithfully summed up—opposition to the American system would have no resting place among us, unless in the bosoms of the envious and the lazy, misguided politicians, or unprincipled foreign adventurers. The force of the facts would be overwhelming—and "the boasted panegyrics on foreign trade, (as the great calculator, Dr. Cooper, said in his better days) *divide into insignificance when set in competition with this!*" We stand not opposed to foreign trade—it is a branch of the system, and claims equal protection—no more. But such reports can hardly be hoped for from every county—let us have them, so far as is practicable; and on those may be founded certain estimates that *shall*, and show what our country is—and what it may be. We repeat our call for help, that we may accomplish all the good that has been enjoyed in prospect from the meeting of the friends of domestic industry, in general convention assembled at New York.

H. NILES.

N. B. A regard to economy should be observed—but the postage on all communications on the subjects mentioned, addressed to "Hezekiah Niles, Baltimore," will be paid by him, as chairman of the permanent committee, until otherwise stated.

[The preceding, except as to its narrative of the business of the committee, it is desired may be considered as the individual opinions of the writer—for of such it is composed.]

A statistical view of the arts, industry, and products of the county of Hampden, Massachusetts, 1851.
POPULATION 31,640.

Manufactures, &c.	Value.	Factories, cotton and woollen	no.
Saddles, harness, whips, trunks, &c.	191,889	Spindles employed	30,766
Carrriages, wagons, &c.	33,550	Looms	712
Leathers,	130,900	Artisans	4,699
Clocks, watches, jewelry, &c.	23,356	Distilleries	35
Powder, 8,250 casks	20,750	Warehouses and stores	118
Tin ware, combs, horn-work,	12,378	Tanneries	30
Hats,	11,818	Grist mills	42
Cabinet woods and chairs,	22,187	Carding machines	50
Bricks, 3,180,000 no.	19,528	Fulling mills	32
Boots and shoes,	97,750	Saw mills	93
Iron work, sythes, cutlery, &c.	90,100	Iron works, furnaces	3
Castings of iron, brass, &c.	17,500	Breweries	2
Machinery,	56,500	Acres of tillages	37,901
Distilled spirits,	41,490	Wheat (bushels)	1,796
Paper, 39,324 reams	150,000	Corn do.	133,914
Cards	49,000	Oats do.	67,745
Household manufactures	28,500	Grain ground, bush.	156,983
Wrought iron, 171 tons	23,940	Hemp (tons)	25
Palm leaf and straw hats, bonnets, &c.	85,010	Hay do.	34,900
Broom corn and brooms	9,008	Cattle	3,799
Hydraulic cement	3,200	Cows	4,872
Soap and candles	10,000	Sheep	10,087
Vegetable oil	9,000	Lumber, (feet)	2,796,000
Joiners' tools	3,200	Cheese sent to market	35,700
Barrels	3,420	Flour imported, 9,348 bbls.	86,075
Stone quarried	19,830	Merchandise imported	643,308
Ale, beer, &c. 3,420 bbls.	(1) 931,050	Wool, &c. used in the manufacture of paper	1,468,167 lbs.
Cotton and woollen cloth manufactured, 2,894,542 yards	(1) 931,050	Wool used in the factories, 193,013 lbs.	118,525
Fire arms manufactured	21,500 no.	Cotton used in the factories, about 1,800,000 lbs.	(2) 180,000
Wool carded	187,800 lbs.	Articles used in factories, besides those specially mentioned	31,267
	35,574		
	2,191,002		

A statement of the annual expenditures of the U. S. army at Springfield, Massachusetts, as furnished by the superintendent, colonel Lee.

Allotment of the appropriation for armories, viz:

Of which about two-thirds of the amount is paid for labor, and one-third for stock and materials. Of the latter the following comprise the most important items, viz:

105 tons of iron, at 160 dollars per ton is 23,160
49,500 lbs. of steel, of various kinds, averaging 36 cts. 7,830
86,500 files, at 30 cts. 3,360
160,000 bushels charcoal, at 12 cts 1,920
10,000 bushels pit coal, at 25 cts 3,500
100 tons Lehigh coal, at 10 dollars 1,000
47,820

There are employed in the estimate 375 men, whose monthly pay amounts to 10,000 dollars, and for the year 120,000
Leaving for stock and materials 60,000
Total 180,000

The number of arms manufactured per year, with all appendages, is 16,500. Amount of permanent improvements, miscellaneous expenses, &c. say 12,000

Leaving for the manufacture of arms, gun boxes, screw drivers, wipers, ball screws, spring vices, and all the appendages, say 168,000

(1) The value of the 5,394,542 yards of cloth is not given in the tabular statement—but is estimated by us, in doubling the value of the wool consumed and quadrupling that of the cotton—which pretty nearly approaches the real sum. Another cotton factory, with 9,000 spindles, was soon to go into operation, and would make a large increase of the aggregate—requiring about 500,000 lbs. more.

(2) This amount is, in part, estimated by us, and thought very nearly correct. In some cases, the pounds of cotton consumed, and in others the value, are given in the table.

GENERAL RECAPITULATION AND REMARKS.

The preceding abstract is made from a large table, covering a whole printed sheet, and giving particulars, as to the things mentioned, in every township of Hampden county. It is not, in all respects, exactly as we would that it should have been—but, as a whole, is an admirable specimen of what individual industry may accomplish, and is respectfully offered as a guide to other seekers after statistical knowledge. A few remarks may serve to shew the general purposes to which such statements would be devoted, for public instruction.

The value of the manufactures is \$2,191,002
Deduct—value of wool 115,525
cotton 180,000
rags, &c. 90,720
iron, &c.* 47,820
miscellaneous 21,267
475,332

Leaving \$1,715,670

Now, as 4,099 artisans, or working people, were employed in manufacturing the preceding amount of articles, (less the cost of the raw materials), it is shewn that the average production was 428 dollars for each person, including interest on capital, tear and wear of machinery and buildings, and the other heavy incidental expenses which belong to establishments of the kinds stated.

The 4,099 working people probably subsisted, (including themselves), 16,396 persons, or more than half the population of the county, some of them, perhaps, also held small farms—but this does not affect a general application of the facts.

These 16,396 persons cannot have cost less than 25 dollars each for articles of food, or 409,890 dollars—leaving, if we suppose all the flour imported (9,346 bbls. worth \$56,076) to have been consumed by the manufactures and their families, say 350,000 dollars, but adding 42,500 dollars for the value of their wool, say 400,000 dollars, to be divided among the remaining 15,244 inhabitants of the county, being chiefly agriculturalists; or, at the rate of more than 26 dollars for each person, besides their own subsistence—to say nothing of the value of lumber, fuel, &c. &c. supplied by the landholders. What a market for the products of the land, exclusive of wool, cotton, iron, flour, coal and many other articles imported, is here exhibited! The entire aggregate cannot have fallen much short of a million of

dollars, all put into requisition by the employment of the small amount of 4,099 persons in manufactures; who, if not so employed, must have been producers, instead of consumers, of the fruits of the earth.

In 1830 the whole value of our domestic exports were—

To Russia	\$35,461
Prussia	16,501
Sweden and Norway	181,353
Denmark	76,292
Portugal	43,408
Spain	684,512

\$1,037,527

All these powers—to which we send ministers plenipotentiary, and ministers resident, &c. at an average cost of from 50,000 to 60,000 dollars a year, accept of the products of the United States, say only 50,000 dollars more in value than 4,099 domestic manufactures located in Hampden county, Massachusetts, require!

We have only spoken of the value of food and other agricultural supplies, necessary for the 4,099 manufacturers. It appears from the table, that 643,308 dollars worth of merchandize, such as coffee, sugar, tea, cloths, calicoes, &c. were also imported for the use of the people of the county named.* But we cannot carry out all the operations just now. Referring to the products of the land, and of the land only, it appears probable that less than 33,000 manufacturers or mechanics, in annual value as the great state of South Carolina exports to foreign countries—cotton and all!

ANECDOTE. During the restrictive laws in Mr. Madison's administration, preceding the war, a then high-spirited and patriotic merchant of Baltimore, (now deceased, having lost his life in the Pacific)—at a public place in this city, warmly, if not violently, spoke of the president, to whose politics he was decidedly opposed. Whereupon a foreigner—a transient person, took up the subject, and reiterated, in other terms, the same things that had just been uttered by the gentleman alluded to. The latter gathered up himself in a moment, and, without any prelatory remarks, knocked the foreigner down—proclaiming that no other than an American citizen should, in his presence, abuse the government of his country!—giving a practical commentary, (in advance!) on DECATUR's famous toast, "our country, right or wrong"—as it regards the opinions of foreign nations; and "base is the slave" that will not say AMEN. We will right our own wrongs—not ask any boon of foreigners, nor allow their interference in our family affairs.

BRIEF NOTICES—THINGS IN GENERAL.

Preparations are making at Baltimore and other places for a grand celebration of the 22d February, the centennial anniversary of the birth of WASHINGTON.

The New York Journal of Commerce states "that the amount of duties accrued at the New York custom house during the year 1831, was upwards of twenty million dollars."

* It is an ascertained fact that 225 persons, employed in a certain cotton factory near Baltimore, purchased, last year, for the supply of themselves and their families, six thousand dollars worth of "taxed" articles—that is, articles of such kinds as are subject to what are called high duties, especially tea, sugar, calicoes, &c. &c. The proprietor, on one occasion visiting the city, was commissioned to purchase eight merino cloaks for eight young women employed by him. Agricultural pursuits present no parallel for these things—and the planting interest, especially, is far, very far, behind. But we shall bring out this case at length, on some future occasion and the mill referred to, because it has no looms, yields a much less proportionate amount of wages than others which have them.

It may be here stated, and it is said deliberately, that the general amount of value added by the cotton consumed in Baltimore county, is equal to the selling price of 170,000 barrels of flour a year. Look at it!

* Used at the armory.

The garrison of Vera Cruz has demanded the nullification of the present ministry of Mexico. Gen. Santa Anna is at the head of this proceeding.

Many valuable steam boats have been destroyed on the western waters, because of the violent and sudden breaking up of the ice. The New Jersey, Lady Washington, Chesapeake, Emigrant, Potomac, Whig, Western Virginia, Pittsburg, Gleason, and Reaper, are among them.

There are rumors in some parts of Virginia, of fresh movements among the slaves—perhaps, chiefly because of the fears of the people.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

January 27. Mr. *Frelinghuysen* presented certain resolutions of the bank of New Jersey, recommending the renewal of the charter of the bank of the United States.

Mr. *Benton* rose to ask the attention of the senate to a paper communicated to the senate yesterday, by the chairman of one of the standing committees—the letter of certain salt manufacturers on the Kenawha, on the subject of the alum salt bill.

After some remarks upon certain reflections contained in said letter, he moved that the committee on manufactures be empowered to send for persons, and to take their examinations, in writing under oath, and to report the minutes of the evidence so taken, to the senate.

Mr. Benton moved for the inquiry upon them.

Mr. *Clay* could not perceive the utility of the proposed measure, and wished to know whether the evidence of one state would satisfy the gentleman from Missouri, (Mr. B.) or was he desirous of obtaining the information from all sources in the country. He moved to lay the motion on the table.

Mr. *Benton* rose to give notice that the subject could not be got rid of without there being something said upon it. The debate could not be cut off.

The vice president said the motion did not admit of debate.

Mr. *Clay* did not wish to restrict the gentleman, and withdrew his motion to lay on the table.

Mr. *Benton* said the information contained in the letter in question was inconsistent with that in his possession, and wished an opportunity to meet it by counterbalancing testimony.

Mr. *Buckner* replied to Mr. *Benton* in an animated speech, controverting the statements of his colleague in a clear and forcible manner. After he had concluded, Mr. *Clay* said the committee on manufactures were willing to take up the whole subject of the tariff, or confine themselves to the favorite articles of the gentleman from Missouri.

[We have laid the sketch of the debate aside, and may hereafter insert it.]

The senate then proceeded to the consideration of executive business, and after sometime spent therein, adjourned to Monday next.

January 30. After the disposition of the morning business, the senate proceeded to the special order of the day, being the resolution offered by Mr. *Clay*, for a modification of the tariff, and Mr. *Hayne's* amendment therein.

Mr. *Smith*, of Maryland, having the floor, addressed the senate an hour and a half on the subject of the resolution.

Mr. *Holmes*, of Me. followed, and spoke till past 3 o'clock, when he gave way for a motion to adjourn; and the senate adjourned.

January 31. The resolutions submitted by Mr. *Benton*, calling for a variety of information touching the administration of the bank of the United States, were taken up to day and agreed to.

Mr. *Benton* submitted resolutions to obtain various information respecting salt and its prices, &c.

The resolution of Mr. *Ewing* respecting the improper removal of public officers was taken up; and, at the instance of Mr. *Grundey*, made the order of the day for Monday week.

The resolution of Mr. *Clay* respecting the tariff was resumed, when Mr. *Holmes* spoke between two and

three hours in conclusion of his speech which he commenced yesterday; after which the senate adjourned.

February 1. Mr. *Frelinghuysen* submitted the following resolution:

Resolved, That the government of the United States is bound by the terms and stipulations of several treaties made with the Cherokee nation of Indians, and also by the provisions of the intercourse act of 1802, and to protect said nation from all intrusions upon their territory.

2. That the president of the United States does not possess the constitutional power of dispensing with the execution of the intercourse act of 1802, and of said treaties, and that until the said act shall be repealed, and while the said treaties remain, it is the duty of the president to enforce the provisions and stipulations.

Some private bills were matured. The bill to grant a township of land to the French college at St. Louis, was, after some discussion, laid on the table for the present. Mr. *Sprague's* resolution, calling for the publication of the names of the owners of unclaimed dividends, was agreed to, then reconsidered on motion of Mr. *Clay*, and made the order of the day for Monday next.

The resolution, for the reduction of certain duties, and the abolition of others, with the amendment offered by Mr. *Hayne* was taken up.

Mr. *Hill*, of New Hampshire, took the floor, and spoke about three hours in opposition to the resolution.

Mr. *Holmes* made some remarks in reply to some portions of the speech of the senator from N. Hampshire. On motion of Mr. *Clay*, who expressed his intention to make some remarks on the subject, the senate then adjourned.

February 2. After the transaction of the ordinary business, the senate proceeded to the consideration of the resolution of Mr. *Clay*, for the modification of the tariff—together with the amendment of Mr. *Hayne*.

Mr. *Hayne* asked permission (Mr. *Clay* being entitled to the floor) to explain that certain extracts which he had quoted from Mr. Niles's Register and inserted in his speech, were not in fact Mr. N's own sentiments, but those of some commentator upon the opinions of Mr. Niles. Also that he did not intend to embrace in his amendment to the resolution, the precise views which might eventually be subscribed to by the members from the south. He wished to have that part of the resolution struck out, and afterwards it might be so modified as to meet the views of the majority of the senate. He thought it due to himself as well as to Mr. Niles, to explain that he had not read the paper alluded to—and which he had commented upon; but that his attention had been called to the subject, and he had made the extracts without a knowledge of the fact now communicated.

[Mr. *Clay* said he was glad the gentleman from S. C. had made the explanation, which was alike justly due to his worthy friend Mr. N. and manly, frank, and honorable on the part of the gentleman from S. C. himself.]

Mr. *Clay* then proceeded to address the senate in vindication of his resolution, and of the protecting system, and in reply to Mr. *Hayne*. The speech will be reported at large, as early a day as practicable; in the meantime, the following outline of his argument will convey to the reader an idea of its course and character.

After an impressive exordium, he alluded to the distress of the country after the war. The period of greatest distress was seven years previous to the year 1824—the period of greatest poverty seven years following that act. He then gave a picture of the present flourishing condition of the country. He maintained that all the predictions of the enemies of the tariff in 1824 had anticipated had been realized. He alluded to all the interests now protected—all mechanic arts—navigation—agriculture—and manufactures. He argued that the tariff began in 1793, which established the great principle of protection. It was the second act of the first congress—sanctioned by the father of his country, and met in its infancy, just let loose from colonial bondage; few skill, we began with moderate duties, intending, no doubt, to fill it up as the interests of the country required. But that act established the great principle, that congress had the power to protect domestic industry, and that such protection was the true policy of the country. The extent was a question of consideration, and it was accordingly extended or diminished from time to time, according to the views of practical men.

Mr. *Clay* then traced the history of the country down to 1815; commented on the tariff of that year, its object, extent, and policy. Then the tariff of 1824. He then alluded to the circum-

tariffs under which the tariff of 1828 was adopted. He said that tariff was made as bad as possible by its enemies, in order to render it odious, and destroy the system. He declined to speak of the constitutional question.

He then alluded to the object of those who proposed to destroy all these great interests; and the ruin and destruction it would produce. He dwelt upon the general doctrine of free trade, which he contended could not exist in the present state of the world. Every country is in a state of restriction; all their ports closed to us. We could only open our ports and let in foreign ships and foreign merchandise, to take the place of our own.

He adverted to the fact of several foreigners in this country, Mr. Gallatin and Mr. Bachez, advocating free trade. He alluded to the fact of certain English statesmen advocating free trade, which they never acted on. In practice, English statesmen mean, *free trade for themselves with all the world, but restrictive trade at home against the world.* He meant security to the shipping interest of England, and the markets of all the world to English manufacturers. In fact, *free trade*, in this country, was another name for the British colonial system.

He read to the senate the system of England for regulating these states when colonies; which was to prevent the production of any articles, except some of the raw materials of their manufactures.

He gave a picture of the effect of manufactures upon the western states. He stated that the culture of cotton was the most profitable pursuit in this country; and gave several illustrations of the fact. He adverted to the ill humor of South Carolina and her refusing to take the protection of Kentucky, and the consequences and result of that act of non-intercourse. The loss of the shipping of South Carolina was to be attributed, he contended, to the effect of free trade. Half her shipping is English.

Having spoken two hours and upwards, with great animation, Mr. C. said he was about now to enter into the main argument; but, as he had been and he was somewhat exhausted, he asked the indulgence of the senate, and he would resume the position of what he wished to say; and the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 27. Among other resolutions offered—by Mr. Thomas, of Maryland, referring an act passed by the legislature of Maryland, relative to the preservation of that part of the Cumberland road within said state, to the committee of internal improvements.

By Mr. Thomas of Louisiana, providing for the appointment of a joint committee to inquire into the expediency of celebrating the centennial birth day of WASHINGTON.

By Mr. Denny, inquiring into the expediency of erecting a marine hospital at Pittsburg, in the state of Pennsylvania.

By Mr. McKennan, an inquiry into the propriety of a declaratory act with regard to the postage on pamphlets.

Mr. Nuckolls moved the following resolution:

Resolved, That the committee on manufactures be instructed to inquire and report to this house the prices paid in the United States for cotton, woolen, iron and other manufactures, before the tariff acts of 1816, '24 and '26, and what the prices thereof have been since; and also, what the prices for articles not protected in this country have not fallen in an equal or greater ratio than those which are protected; whether the protected articles have not fallen in Europe in an equal or greater ratio than in this country within the same period, and what they might now be purchased for if those laws were repealed.

By Mr. Lecompte—

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of amending the constitution of the United States, so that the judges of the supreme court, and of the inferior courts, shall hold their offices for a limited term of years.

Mr. Wayne moved a resolution requiring the secretary of the treasury to report such an arrangement as he may deem best calculated to compensate the officers of the customs, by substituting salaries for fees.

The resolution offered by Mr. Jenifer, on the subject of the removal and colonization of the free colored persons, was further considered—a motion being made by Mr. Boon, to refer it to the 2d of December, a debate ensued, but before it had concluded, the house proceeded to a consideration of the bill to give effect to the commercial regulations between the United States and the republic of Colombia, which, after debate, passed by a large majority.

The rest of the day was occupied in the consideration of a bill to pay for David Darden's horse.

The house adjourned.

Monday, Jan. 30. Mr. Johnston, of Ky. reported a bill to reduce the postage on periodicals and pamphlets, and for other purposes. Several other bills were also reported.

Among the numerous memorials presented yesterday, was one by the speaker from the free trade convention,

recently assembled in Philadelphia, on the subject of the tariff. It was laid on the table, and 5,000 copies, in addition to the usual number, directed to be printed.

Mr. L. Conduct moved the consideration of a memorial presented by him yesterday, praying an appropriation for the removal of free persons of color. Its reading being objected to, the yeas and nays were ordered on the question of reading and determined in the affirmative, by a vote of yeas 100, nays 80.

Several motions were made with regard to its reference, the memorial was, however, after debate, referred to a select committee of seven.

Mr. Jenifer presented the resolutions of the general assembly of Maryland, in favor of the renewal of the charter of the United States bank.

The house then took up the consideration of the appropriation bill. The question being on the motion of Mr. Wickliffe to refer the bill to a committee of 24, consisting of one member from each state.

A debate ensued thereon, when the motion was negatived by a vote of yeas 76, nays 116.

After some conversation between Mr. Hubbard and Mr. Wickliffe, the latter moved to strike out the words "forty eight" wherever they occur in the bill. Before any action being had thereon, the house, on motion of Mr. Burges, adjourned.

Tuesday, Jan. 31. After various reports on the claims of individuals had been made, and disposed of,

The resolution of Mr. Jenifer, on the subject of the removal of free persons of color, &c. was taken up, to the select committee raised on the same subject, New Jersey, upon the same subject.

The speaker laid before the house sundry reports from the several departments, made in obedience to previous calls.

By consent of the house Mr. Archer submitted the following, which was read, and also referred to the committee on the memorial of the Railway colonization society, viz:

Resolved, That a select committee be instructed to inquire into the expediency of recommending for adoption an amendment of the constitution of the United States, by which congress shall have power to appropriate the revenue accruing or derivable from the proceeds of the sale of the public lands, in aid of the construction of such works of internal improvements as may be authorized, commenced, or patronized by the states, respectively, within which the same are to be executed; and shall in like manner have power to appropriate the same fund of revenue in aid of the removal of such portions of the colored population of the states as they may respectively ask aid in removing, on such condition and to such place as may be mutually agreed on; for which purpose congress shall be authorized to acquire the territory it may consider in the manner in which the territories of the United States are now governed, for such time as the occasion for which it shall have been obtained may require, after which the said territory shall be established into a state, which shall be declared, or into several states, which shall be successively declared, independent of the United States, neither of which states shall, in any event, or at any time, be admitted into the union of the United States.

The house resumed the consideration of the resolution submitted by Mr. Edward Everett, on the 25th of January, when Mr. Everett modified the said resolution to read as follows:

Resolved, That the president of the United States be requested to communicate to this house a copy of the treaty negotiated with the Chickasaw tribe of Indians in the year 1830, and of such portion of the journal of the commissioners as relates to the subject-matter of said articles together with the copy of the lease or deed, to which the assent of the commissioners of the U. States was given; and also, of the lease executed under the 4th article of a treaty negotiated with the Chickasaws, October 19, 1818.

Mr. Everett explained and advocated his resolution, at considerable length. Among other facts he stated—that on the very day on which the Chickasaw treaty was negotiated, in 1818, a lease of a reservation of a tract of land containing four miles square, which had been by the treaty reserved for the poor and warriors of the said nation, was leased by the Indian chiefs, Colbert and Brown, in whose names the grant was made for the benefit of those just enumerated, to the present second auditor of the treasury, who attended as a confidential agent to the negotiation, and as a witness of the treaty. This lease was for a term of 199 years, and on a rent of 750 bushels of salt annually, provided salt water should be found upon the reservation.

That in the summer of 1830, a negotiation was entered into by John H. Eaton and John Coffey, with the Chickasaw tribe of Indians, for the cession of their lands in Mississippi and Alabama; lands be it observed far distant and totally disconnected with the reservation in West Tennessee. The treaty is negotiated in the usual manner, and a conditional cession obtained. The following day certain supplementary articles were negotiated in addition to the main treaty and at the heel of all of them, an article agreed upon of a most extraordinary character; by which substantially the reservation of which I have been speaking, was sold for \$2000, to the second auditor and a person associated with him. I say, sir, in substance, this reservation was sold to these gentlemen for \$2000; although the form given to the transaction is that of a change of the lease. The change consists in reducing the rent from 750 bushels of salt to 4 bushels, or the value thereof, and a payment of \$2,000 down."

Mr. Wickliffe, and Mr. Mitchell, of S. C. followed with some remarks, the latter gentleman in decided opposition to the resolution—when the debate was arrested by a successful motion made by Mr. Polk for the order of the day.

The apportionment bill next came up for consideration, and the question being on the motion of Mr. Wickliffe to amend the bill by striking out the words "forty eight"—and after debate, the question was taken on striking out, and determined in the negative—*Ayes*.

Mr. Hubbard then moved to strike out "forty-eight" with a view of inserting "forty-four," but before the question was taken, the house adjourned.

Wednesday, Feb. 1. Mr. Drayton, from the committee on military affairs, reported a bill authorizing the secretary of war to compromise and secure to the government the title of an island in the state of Delaware, upon which fort Delaware is situated. The resolution, heretofore proposed by Mr. E. Everett, calling on the president for a copy of a part of a treaty with the Chickasaw tribe of Indians, was further debated by Messrs. *Huntingdon* and *Polk*. The debate was arrested by a call for the order of the day. The apportionment bill was again taken up, and discussed at great length. The motion of Mr. Hubbard, to strike out 48,000 and insert 43,000, as the ratio, was finally agreed to—*yays* 98, *nays* 96. The house then adjourned.

Thursday, Feb. 2. The resolution of Mr. E. Everett calling for a copy of an article of the treaty of 1830 with the Chickasaw Indians again coming up for consideration.

Mr. Clay, of Alabama, addressed the house in opposition to the call, considering it as a violation of the constitutional powers of the house and an insult on the executive. He argued to fix inconsistency on the mover and supporter of the resolution, and warmly vindicated the character of general Coffee, one of the commissioners who had negotiated the treaty, and whose integrity he considered to have been assailed.

Mr. Clay had just closed, when

The house then proceeded to the consideration of the apportionment bill.

The house reconsidered the vote by which it yesterday agreed to strike out 48,000 and insert 43,000, as the ratio of representation—and before the blank in the bill was filled up, the house adjourned.

PROCEEDINGS OF THE SENATE,

ON THE NOMINATION OF MARTIN VAN BUREN.

December 7, 1831. A message was received from the president of the United States, nominating MARTIN VAN BUREN, of New York, to be envoy extraordinary and minister plenipotentiary of the United States at the court of the United Kingdom of Great Britain and Ireland.

The message was read.

Tuesday Dec. 27. *Ordered*, That the nomination of Martin Van Buren be referred to the committee on foreign relations.

Tuesday, January 10, 1832. Mr. Tazewell, from the committee on foreign relations, to whom was referred the nomination of Martin Van Buren, reported.

Tuesday, Jan. 17. The following motion, submitted by Mr. Holmes, was taken up for consideration:

Resolved, That the nomination of Martin Van Buren be recommended to the committee on foreign relations; and that said committee be instructed to investigate the causes which produced the removal of the late secretaries of the treasury and the navy departments, and of the attorney general of the United States, and also the resignations of the secretaries of the state and war departments; and report to the senate whether the only causes of that novel and important political movement are given in the letters of the president of the United States, addressed on that occasion to the several officers above enumerated; and, if not, what were the causes to which these removals and resignations ought to be ascribed. And also, whether the said Martin Van Buren, then secretary of state, participated in any practices disreputable to the national character, which were designed to operate on the mind of the president of the U. States, and calculated to smooth the way to his appointment to the high office to which he has been nominated.

Resolved, That for the purpose of carrying into effect the objects of the preceding resolution, the said committee be further authorized to send for persons and papers, and to compel the attendance before them of such witness or witnesses as they may desire to examine on oath, touching the matter submitted to their investigation; and to report the same to the senate, with their opinion thereon, together with the reasons thereon.

A debate ensued, and, on motion by Mr. Holmes, *Ordered*, That it lie on the table.

The senate then proceeded to consider the nomination of Martin Van Buren.

On motion that it lie on the table,

It was determined in the affirmative *yays* 21, *nays* 21, as follows:

YEAS—Messrs. B. H. Bibb, Chambers, Clay, Ewing, Foot, Frickghuyssen, Hayne, Holmes, Johnston, Knight, Miller, Moore, Naudain, Prentiss, Robbins, Ruggles, Seymour, Silsbee, Tomlinson, Tyler.

NAYS—Messrs. Benton, Brown, Buckner, Dallas, Dickinson, Ellis, Forsyth, Grundy, Hendricks, H. H. Kane, King, Mangum, Marcy, Robinson, Smith, Tazewell, Tipton, Troup, White, Wilkins.

The senate being equally divided, the vice president determined the question in the affirmative.

Tuesday, Jan. 24. On motion by Mr. Marcy,

The senate resumed the consideration of the nomination of Martin Van Buren; and after debate,

The senate adjourned.

Wednesday, Jan. 25. The senate resumed the consideration of the nomination of Martin Van Buren, and after debate,

The question was taken—will the senate advise and consent to the appointment of Martin Van Buren?—and was determined in the negative, *yays* 23, *nays* 23, as follows:

YEAS—Messrs. Benton, Brown, Buckner, Dallas, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hendricks, H. H. Kane, King, Mangum, Marcy, Robinson, Smith, Tazewell, Tipton, Troup, Tyler, White, Wilkins.

NAYS—Messrs. Bell, Chambers, Clay, Clayton, Ewing, Foot, Frickghuyssen, Hayne, Holmes, Johnston, Knight, Miller, Moore, Naudain, Poindeexter, Robbins, Ruggles, Seymour, Silsbee, Sprague, Tomlinson, Waggoner, Webster.

The senate being equally divided, the vice president determined the question in the negative. So it was

Resolved, That the senate do not advise and consent to the appointment of Martin Van Buren.

DEBATE IN THE SENATE

On Martin Van Buren's nomination.

Remarks of Mr. Chambers.

Mr. Chambers said there were few occasions which could occasion with him a more painful struggle between personal inclination and official obligations, than the one on which he was now called to act. With the nominee, said Mr. C. I have for years enjoyed personal and social relations that have left impressions which it would gratify me to indulge by an expression of their kindest recollection, and this consideration, with the fact of his frequent elevation to offices of high honor and dignity, and his

distinguished position in relation to the political parties in the country, will connect with the subject an interest rarely occasioned by the nomination of an individual to office. The office itself to which he is nominated is one so intimately affecting the peculiar duties and responsibilities of the executive magistrate by whom we are invited to confirm the appointment, as to require on the part of the senate a peculiar degree of indulgence. Regarding a diplomatic functionary as the confidential organ of the president, as selected with a previous knowledge of the particular duties to be performed by him, and with reference to his especial fitness for those duties, it is undoubtedly proper that the executive will, in regard to the agent, should not be controlled but from the most unyielding obstacles: to oppose it for light causes would lessen the weight of his responsibility and greatly increase our own. To reject the nomination of a minister at home or abroad, can, in my view, be defensible only upon the strong grounds of principle, having direct and immediate reference to considerations of a public nature.

In the deliberate counsel and advice which the constitution requires to give to the president, there is no proper place for the exercise of personal favor or ill will, for party prejudice or partiality. Sir, as one of the humblest members of this body, I can fearlessly appeal to my course here on all former occasions, and to the course of those with whom I usually act, with the most entire confidence that it will evince a liberal charity toward the officers nominated, and a magnanimous surrender of personal and political prejudices on the altar of the public good, and a just regard to the prerogatives of the president.

With these opinions, Mr. President, it is scarcely necessary to affirm, that in the vote which I shall give on this occasion, I have obeyed no other impulse than that of my judgment; but it will be permitted me to assert, as I do with the most unaffected sincerity, that my personal inclinations have reluctantly witnessed, and would gladly reverse the sentence which a high sense of official duty will compel me to record, with a sleep and abiding conviction of its justness. I am altogether aware of the danger to which my vote may expose me from the malignant virulence of those who, themselves insensible to the honest and honorable feeling which subdues the petty passions of a contracted and factious partisan, are on all occasions inclined to attribute the conduct of others to the narrow minded policy which governs themselves. Sir, I should be an unfit and servile servant of my state, treacherous to the high trust which I am charged to execute, and destitute of the courage necessary to protect the interests confided to my guardianship, if apprehensions like these could for a moment divert me from the path to which duty points. It would have afforded me great gratification to have listened to some able advocate of the nation's honor, and to have been able to repose my vote on the causes more satisfactorily assigned by another. But the question is about to be taken, and I will not consent to allow an occasion to pass, without raising my feeble voice to redeem the tarnished reputation of my country. If other senators accord with my opinion, it is essential, sir, that the vote of rejection shall go forth, associated with the reasons which influence it. Yes, sir, the honor and the dignity of this nation has—and I think it demonstrable)—the heretofore unassailed diplomatic character of the American republic has been stained, its lofty pride has been humiliated—unnecessarily, wantonly humbled—by the man who is proposed as its guardian, and protector, and advocate; and as an American senator, I am not content barely to put upon him the seal of reprobation in a secret session of this body. No, sir, let the American government—let the American people, proud of their national honor, know that no ruthless hand shall desecrate it with impunity; and let foreign nations, and all the world know, that even an American secretary of state dare not pollute its shrine.

Mr. President, I mean to resist the confirmation of Mr. Van Buren's appointment exclusively on the ground that in his instructions to Mr. McLane, on the subject of the colonial trade, he has violated the honor of the nation, has wounded its high and elevated character, has evinced a disregard to the interests of the American people—nay, has insulted that people in the person of their government, has attempted to promote the objects

of a party amongst us, and has disclosed a total ignorance of the proper principles and feelings which should adorn the diplomatist. For proof of these assertions I mean to rely exclusively on his own words, deliberately embodied in a state paper, and on those to which he has himself alluded, and found amongst the archives of the department of which he was then the head.

In directing the attention of the senate to a particular part of the letter of instructions from Mr. Van Buren to the American minister then at the British court, I disclaim the inference, that the residue of that letter, or that other letters of instruction contain no exceptionable matter. There are many positions which, on another occasion, it would be proper to dispute, and the whole temper and tone of the despatches breathe an air of humility and concession, and conviction of error, and a suppliant entreaty of favor and notice, which no American citizen, who thinks and feels as I think an American freeman should do, can regard as the appropriate language of his government, pledged as it is "to ask nothing but what is right, and to submit to nothing that is wrong."

The portion of Mr. Van Buren's work, however, to which I will more particularly allude, is a part of his letter of instruction to Mr. McLane, dated 20th July, 1829. He uses this language:

"The opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful so to do) of the respective parts taken by those to whom the administration of this government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade. Their views upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts. It should be sufficient that the claims set up by them, and which caused the interruption of the trade in question, have been explicitly abandoned by those who first asserted them, and are not revived by their successors. If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds. To set up the acts of the late administration as the cause of forfeiture of privileges which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course so unwise and untenable is calculated to produce, would doubtless be greatly aggravated by the consciousness, that Great Britain has, by order in council, opened her colonial ports to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of July, 1825.

"You cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has hearings and relations that reach beyond the immediate question under discussion."

Now, sir, when stripped of its verbiage and reduced to its plain import, what does the secretary of state here press so earnestly? That Mr. McLane, the minister, who had been a member of the political party of which the then president was the nominal head (and the secretary of state a most conspicuous supporter, with impotent anxiety to claim a reversionary interest in the chieftainship), that the minister, who had been a member of this senate, and in that character informed of the conflicting views of the different political branches or subdivisions into which the great American family had been arranged, should stoop to avail himself of this personal intimacy with our family dissensions, to press earnestly upon a foreign government the misconduct of one part of this family in the relations of our government with that foreign power, and the more amiable and kind feelings of another division of it. But is this all? No, sir; it is earnestly pressed that the American government—the concentrated will of the whole American family, the only legitimate source of access to foreigners;

the only authorized organ of communion with other nations—that this government, in the person of its 'late administration,' should be bowed down in dishonor and in degradation at the feet of lord Aberdeen, the delegated but humble personation of the British monarch. Yes, sir, the unheard of, unparalleled, and most revolting experiment was to be made, (other suppositions having failed to move the royal sympathy,) how far an unsparing condemnation of ourselves would disarm a British throne of its haughty, supercilious disdain of a just and an honest demand. I say, sir, it was novel and unheard of. I repeat it. Let the past history of this proud republic be minutely interrogated—Ay, in the many political changes of its agents, which by the terms of its organization, it must witness, let it be sought; let the days of Adams, of Jefferson, of Madison, Monroe, and the last Adams, be diligently inquired of. Sir, no voice responds to countenance this degrading, this disgraceful operation by which the government is humbled into a penitential confession of its transgressions to appease a foreign king or to moderate the wrath or conciliate the favor of a foreign power.

Not only, Mr. President, do the fair and unsullied pages of American diplomacy refuse countenance to such miserable self-abasement, but, sir, the history of all the civilized nations of the earth stamp upon it the indelible character of gratuitous prostitution, unaided by precedent, unwarranted by any parallel. Sir, it adds to the deep condemnation which belongs to this subject, that it was as useless and unproductive of gain as it was disgraceful in itself. Can the imagination conceive how benefit could possibly arise, or be supposed to arise, from an abject confession of "wrong," by repudiating the claims of the government as "American pretensions," "explicitly abandoned by those who first asserted them," "not revived by their successors," who are directed by counsels that "are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts?" what possible advantage, I ask, could be anticipated by the position of a prostrate suppliant, who, from the depths of degradation and abasement, should thus beseech a foreign diplomatist, that would not be accorded to a civil and high-minded application, based upon the suggestion, that however the American government was convinced of its claims to higher and other terms, it was yet willing, in a spirit of frankness, and in an anxious desire to terminate old and agitated questions of disagreement, to waive the further prosecution of those claims, and thereby to evince the sincerity of its desire for an amicable adjustment? But, sir, I come now to that consideration which stamps upon this subject its peculiar character, which sets it off in colors of a still darker shade, and which must leave us to infer, that no mere want of manly, stern republican feeling of self-respect, not the unobserved prostration or careless disregard of national dignity and character, not alone a cold and callous insensibility to those feelings of cherished pride, of nice and delicate honor which kindles into active resistance at even the appearance of rebuke, but that some more latent motive of proposed effect, has caused this deep-dyed stain upon the nation's history and as fame. Sir, as if it were not enough to bow down the knee and supplicate forgiveness in terms of doleful regrets for wrongs, and anxious solicitude to repair them, as if it were not enough to open to a foreign power the history of our internal disputes and political divisions, and to ask them to consider one party here as more kind in their feelings, more reasonable in their demands, more conciliating in their tone, and, therefore, more entitled to hope for the favorable notice of England,—as if the measure of our degradation was not to be accomplished by a gratuitous concession of acknowledged injustice of "American pretensions," "abandoned," the secretary has resorted, in the absence of other provocations, to misstatements of fact to create a condition of things, for the purpose of giving color to the fierceness and unbecoming wrath which he aims at his political adversaries.

Sir, I say, and the diplomatic history of the nation will prove, that the statement made in this particular charge of the secretary is false in fact,—yes, sir, doubly false. What is it? "The claims set up by them, and which caused the interruption of the trade in question,

have been explicitly abandoned by those who first asserted them." Now, the first branch of the position is utterly without foundation we all know. The last administration explicitly abandoned no claims which it set up, nor did any claims set up by it cause the interruption of the trade. The last administration was willing to negotiate on the subject of the trade, but the British government refused to meet their proposal, although made in the most extended and liberal feeling of compromise. Let the correspondence of our secretary of state, and the message of the president prove this. But unfounded as is that branch of the assertion, how manifestly and obviously more so, how profoundly destitute of even the shadow of correctness is the other, which declares that the mis-called "American pretensions" were first asserted by the last administration. Why, sir, does not every one know that in this respect the last administration did but pursue the settled and fixed purpose of the administration that preceded it, and that these "pretensions" did not even commence then? sir, all administrations had indulged these pretensions. The last administration, the first to assert them! Truly, this must have amused the intelligent diplomatist to whom the envoy was directed to make the communication.

No, I am wrong in this conjecture, for I believe from my reading of Mr. McLane's letters to his lordship, that the experiment was not made upon his ignorance of what every page in the diplomacy of his own country would have taught him. No, sir, this notion of their being first asserted by the late administration did not, I believe, find place in those letters. What "bearings" and relations that reach beyond the immediate question were in the view of the secretary, it is not for me to divine. He speaks in another part of these instructions of "the impropriety of suffering any feelings that find their origin in the past pretensions of this government, to have an adverse influence upon the present conduct of Great Britain." Sir, I do not mean to follow the secretary in his dark and mysterious language. The plain and undoubted import of that which unfortunately for the nation's character, can admit of but one reading, is enough for me. No man in my poor judgment can ask us to confide to his care the dignity of the nation and its honor, who has arrayed one political division of our people against the government. Sir, what is to be the result? How may this very doctrine recoil on himself? In the same terms may a British secretary for foreign affairs now say to him, "I do not respect your opinions as those of the American people; your president is about to witness the termination of his period of office; a new election is to be made; the people, the proper tribunal to pass upon his measures, may not sustain him. I appeal from your judgment, and submit the matter to their's, and until their sentence is recorded, I can only regard your administration as you have regarded the late administration." Yes, sir, these are legitimate consequences of such doctrine, involving a perfect and entire surrender of all consideration abroad, and all national pride at home. To an individual who has thus outraged the character properly belonging to a great and high-minded nation of freemen, who has prostrated its dignity, and brought disgrace and dishonor upon its diplomatic reputation, I never can advise the president to confide the preservation of its respect abroad; and this first assertion of a course pregnant with every thing that threatens the pride, and dignity, and honor of the American republic, will, I trust, be marked by the most decisive reprobation of an American senate.

Remarks of Mr. Clayton.

Mr. Clayton, of Delaware, rose to reply to some remarks of Mr. Smith. He said he rose under a deep sense of the responsibility which he owed to the senate and to the country on this question. He owed it to himself, to the people whose representative he was, and to the body of which he was a member, to state briefly the grounds upon which he should render a vote, withholding his advice to the president to make this appointment.

I agree, said Mr. C. with my friend from Maryland. (Mr. Chambers), in the view which he has taken of the instructions given by the late secretary of state to our

minister at the court of St. James. I consider the late negotiation respecting the West India trade with the English nation, as the most humiliating to our national pride, that has occurred in the annals of our diplomacy. The minister was sent with instructions to fawn and beg as a boon, at the footstool of a foreign power, what we were entitled to as a right, and to abandon and denounce, as untenable "pretensions" what had been always before insisted upon as a matter of justice to our country. He was positively directed to consider his own government as justly *assailable* for "too long and too tenaciously resisting the rights of Great Britain," and particularly for omitting to accept the terms offered by the act of parliament of July, 1825. He was directed to speak with confidence "of the respective parts taken by those to whom the administration of this government is now committed," to lay before Europe the state of parties in this country, and to degrade and disgrace all the former administrations of our government, during which this right had been insisted upon, by entirely and unconditionally withdrawing all our claims for justice on that country. He was told, in substance, to press upon England the state of our domestic and party differences at home, and he was admonished that this subject had bearings and relations which reached *beyond* the immediate question under discussion. Sir, this minister did as he was ordered to do. He "entreated," and "appealed," and "begged," and "prayed," "regretted," and "solicited," and "hoped to be excused," and confessed we had been in the wrong, instead of repelling with dignity the insolence and sarcasm of the British ministry, until the contemptible boon was "granted," and the national character effectually degraded. Let him take his place in the treasury for this; but let not him who gave these instructions, succeed him at the court of St. James, again to "beg," and "solicit," and degrade us in the eyes of Europe, by laying before the world the state of our domestic differences at home. Let us say to the British government this day by our vote, that we never consented to the disgrace which has befallen us, and that we prefer to recall the minister who has dishonored us, to all the pretended benefits of this miserable negotiation. On this ground alone I will this day condemn this appointment, so far as my vote will go to effect it; and in so doing, as an American senator I say to England, that we will never consent to crouch for favors; and to all our ministers now and forever, that we will condemn every attempt to carry our family divisions beyond our own household.

Sir, the gentleman from Maryland, who last addressed us, (Mr. Smith), replied to similar objections made by his colleague, that the president was alone responsible for these instructions, and not the secretary whose name was signed to them. Such has been the pretence for exonerating from all responsibility other persons charged with mal-administration of the government. Either by preventing the disclosure here of impeachable matter, or by presenting the president as a shield to the party charged with it, the responsibility of every inferior public agent is melted away to nothing. The gentleman, without defending the secretary or the minister in this negotiation about the West India trade, feels safe if he can interpose the president as the party chargeable with the whole matter. But I will do the president the justice to say, that I cannot believe that he had read these instructions when they were given; and I hold the secretary answerable to his country for every public act performed by him while he remained in office.

There is another topic, closely connected with the honor and interest of this nation, upon which the nominee before us has been strongly charged, and in relation to which I confess the wish that an investigation, instituted before I took my seat this session, had been prosecuted to its termination before this day. I refer to the causes which produced the disruption of the late cabinet. I view that event as highly disreputable to our country; and I find that, according to the declarations of a gentleman who formerly edited a paper in the state of New York, advocating the president's administration, Mr. Van Buren privately informed him "that it, (the dissolution of the late cabinet), was caused more by the conduct of the vice president and Mr. Ingham, who desired the retirement of gen. Jackson from office at the expi-

ration of the first four years of his term of service," thus in effect charging a conspiracy between these gentlemen to traduce the character of a chaste and virtuous woman, in order to produce the destruction of the cabinet; and, (stating), that he Mr. V. B. had thought it better to retire in time, *knowing that if he led the way, "the rest must follow."* This information is, I believe, now in the hands of a senator from Mississippi near me, (Mr. Poindexter), and it is said that the author of it is present in the city, ready to bear testimony to the truth of it. However this may be, I must be permitted to say, as one whose course here has been plain—having had nothing to do with either of the contending branches of the party in power—that I consider such a charge against the vice president as unjust, and utterly without foundation; while I hold that the declaration containing the charge contains also an unequivocal admission as to the true agent, and the motive of that agent, in the transaction to which I have alluded. But, without reference to this, and many other matters which might be fairly pressed into this discussion as reasons for the vote which I am about to render, I content myself by resting that vote on the ground of the instructions given by Mr. Van Buren to our late minister to England, and the consequent dishonor to our diplomatic intercourse with that country.

Mr. C. concluded by observing that on some more suitable occasion he might give his views on the subject of that negotiation; but he would prefer doing so in the face of the country to a secret discussion in the executive session of the senate.

Remarks of Mr. Foot.

Mr. Foot said, since the ayes and noes are ordered, and our votes are to be recorded on this question, and especially after the friends of the nominee have opposed a resolution of inquiry into the conduct of the late secretary of state in the discharge of his official duties, and have desired the members to examine for themselves, I feel it a duty and esteem it a privilege that I may state in a few words, and in plain terms, the grounds on which my vote will be given against this nomination.

Sir, the evidence of my own senses, of sight and hearing, since the commencement of this administration have produced a thorough conviction in my mind, that, upon the true Jeffersonian principle, viz:—"Is he honest? Is he capable? Is he faithful to the constitution?"—an imperative sense of duty on the question which will be proposed, viz "Will the senate advise and consent to the nomination?" will compel me to answer in the negative.

A resolution has been offered, to instruct a standing committee of the senate to inquire into the conduct of the nominee in relation to certain very singular and extraordinary occurrences. This has been opposed by his friends. It has been stated on this floor, that there are papers in possession of senators ready to be presented to the senate, or to a committee, sufficient to convince any committee or any member of the senate, that the nominee has stated to some of his friends and partisans certain facts in relation to the causes of the explosion of the late cabinet, which, if proved, it is admitted, ought to prevent the confirmation of this nomination.

The senator from New York, (Mr. Marcy), states that "he does not believe these statements entitled to credit; he does not believe that Mr. Van Buren has ever made such remarks or admissions to any person." The senator from Delaware, (Mr. Clayton), proposes to introduce the witness on this floor if desired. I shall not look for any admissions or confessions of *this* nominee to his friends or elsewhere which would erminate himself. Since all these offers have been rejected, I ask no further evidence. In fact, for myself, no evidence of what my duty would require on an occasion like the present has been wanting since the letters of instruction to our minister to England were read in this body nearly two years since, and which I then pronounced disgraceful to the country.

The senator from Maryland, (Mr. Smith), has said "that for the instructions given by the secretary of state to a foreign minister, the secretary is not to be held responsible, the president alone is responsible." Sir, whatever may be the views of that senator, it is no rule for me. I hold a very different doctrine. In my opinion, there is not a senator on this floor, or any other

careful observer, who has noticed the proceedings of this administration from its commencement, who is not fully convinced that there had been *"behind the throne a power greater than the throne itself,"* which has directed most of its movements. I will not say there is legal evidence sufficient to convict a man before a court of justice; but there is enough to produce conviction in my mind, and I sincerely believe that general Jackson came to this place fully determined to remove no man from office, but for good cause of removal. I am fully convinced that the whole *"system of proscription,"* owes its existence to Martin Van Buren! That the dissolution of the cabinet was effected by his management and for his benefit! and that the hand of the late secretary of state may be traced distinctly in another affair, which has produced an alienation between the first and second officers of the government; and also in relation to the present *"improved condition of the public press,"* and for the great abuse of the patronage of the government! And, sir, I hold him responsible for many acts which I can never approve. But, sir, this is not the first time that I have pronounced the instructions given by the late secretary of state, to Mr. McLane, then minister to London, and the negotiation with the court of Great Britain, on the subject of the colonial trade, to be degrading and disgraceful to the nation. Sir, it has ever been our pride and our glory, that in all our diplomatic intercourse with foreign nations, *we have never admitted our country to be in the wrong;* nor has she ever been proved to be in the wrong, before the late humiliating and disgraceful correspondence with the British government. This is the first time in her whole history, in which she has ever begged favors of royal bounty. And holding, as I do, the author of those instructions responsible for this disgrace, I can never advise the president to send the author of such instructions, as a minister to represent the interests of this nation at the same court where she has been so disgraced—and I must record my vote against the nomination.

Remarks of Mr. Webster.

Mr. President: as it is highly probable that our proceedings on this nomination will be published, I deem it proper to state shortly the considerations which influenced my opinion, and will decide my vote.

I regard this as a very important and delicate question. It is full of responsibility; and I feel the whole force of all that responsibility. While I have been in the senate, I have opposed no nomination of the president except for cause; and I have at all times thought that such cause should be plain, and sufficient; that it should be real and substantial, not unfounded or fanciful.

I have never desired, and do not now desire, to encroach, in the slightest degree, on the constitutional powers of the chief magistrate of the nation. I have heretofore gone far, very far, in assenting to nominations which have been submitted to us. I voted for the appointment of all the gentlemen who composed the first cabinet. I have opposed no nomination of a foreign minister, and I have not opposed the nominations recently before us, for the re-organization of the administration. I have always been especially anxious, that in all matters relating to our intercourse with other nations, the utmost harmony, the greatest unity of purpose, should exist between the president and the senate. I know how much of usefulness such harmony and union are calculated to produce.

I am now fully aware, sir, that it is a serious, a very serious matter, to vote against the confirmation of a minister to a foreign court, who has already gone abroad; and has been received, and accredited, by the government to which he is sent. I am aware, that the rejection of this nomination, and the necessary recall of the minister, will be regarded by foreign states, at the first blush, as not in the highest degree favorable to the character of our government. I know, moreover, to what injurious reflections one may subject himself, especially in times of party excitement, by giving a negative vote, on such a nomination. But after all, I am placed here to discharge a duty. I am not to go through a formality; I am to perform a substantial and responsible duty. I am to advise the president in matters of appointment. This is my constitutional obligation; and I shall perform it conscientiously and fearlessly. I am bound to say,

then, sir, that for one, I do not advise nor consent to this nomination. I do not think it a fit and proper nomination; and my reasons are found in the letter of instructions, written by Mr. Van Buren, on the 20th of July, 1829, to Mr. McLane, then going to the court of England, as American minister. I think those instructions derogatory, in a high degree, to the character and honor of the country. I think they show a manifest disposition, in the writer of them, to establish a distinction between his country and his party; to place that party above the country; to make interest, at a foreign court, for that party, rather than for the country; to persuade the English ministry and the English monarch, that they had an interest in maintaining, in the United States, the ascendancy of the party to which the writer belonged. Thinking thus of the purpose and object of these instructions, I cannot be of opinion that their author is a proper representative of the United States at that court. Therefore it is, that I propose to vote against his nomination. It is the first time, I believe, in modern diplomacy, it is certainly the first time in our history, in which a minister to a foreign court has sought to make favor for one party at home, against another; or has stooped, from being the representative of the whole country, to be the representative of a party. And as this is the first instance in our history of any such transaction, so I intend to do all in my power to make it the last. For one, I set my mark of disapprobation upon it; I contribute my voice and my vote, to make it a negative example, to be shunned and avoided by all future ministers of the U. States. If, in a deliberate and formal letter of instructions, admonitions and directions are given to a minister, and repeated, once and again, to urge these mere party considerations on the foreign government, to what extent, is it probable, the writer himself will be disposed to urge them, in his one thousand opportunities of informal intercourse with the agents of that government?

I propose, sir, to refer to some particular parts of these instructions; but before I do that, allow me to state, very generally, the posture of that subject, to which those particulars relate. That subject was the state of our trade with the British West India colonies. I do not deem it necessary now to go minutely into all the history of that trade. The occasion does not call for it. All know, that by the convention of 1815, a reciprocity of intercourse was established between us and Great Britain. The ships of both countries were allowed to pass, to and from each other respectively, with the same cargoes, and subject to the same duties. But this arrangement did not extend to the British West Indies. There, our intercourse was cut off. Various discriminating and retaliatory acts were passed, by England and by the United States. Eventually, in the summer of 1825, the English parliament passed an act, offering reciprocity, so far as the carrying trade was concerned, to all nations, who might choose, within one year, to accept that offer.

Mr. Adams's administration did not accept that offer; first, because it was never officially communicated to it; secondly, because, only a few months before, a negotiation on the very same subject had been suspended, with an understanding that it might be resumed; and thirdly, because it was very desirable to arrange the whole matter, if possible, by treaty, in order to secure, if we could, the admission of our products into the British islands for consumption, as well as the admission of our vessels. This object had been earnestly pursued ever since the peace of 1815. It was insisted on, as every body knows, through the whole of Mr. Monroe's administration. He would not treat at all, without treating of this object. He thought the existing state of things better than any arrangement, which, while it admitted our vessels into West India ports, still left our productions subject to such duties there, that they could not be carried.

Now, sir, Mr. Adams's administration was not the first to take this ground. It only occupied the same position which its predecessor had taken. It saw no important objects to be gained by changing the state of things, unless that change was to admit our products into the British West Indies, directly from our ports, and not burdened with excessive duties. The direct trade, by English enactments and American enactments, had become

closed. No British ship came here from the British West Indies. No American ship went from us to those places. A circuitous trade took place, through the islands of third powers; and that circuitous trade was, in many respects, not disadvantageous to us.

In this state of things, sir, Mr. McLane was sent to England; and he received his instructions from the secretary of state: In these instructions, and in relation to this subject of the colonial trade, are found the sentiments of which I complain. What are they? Let us examine, and see.

Mr. Van Buren tells Mr. McLane "*the opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful so to do), of the respective parts taken by those to whom the administration of this government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade.*"

Now, this is neither more nor less than saying, "you will be able to tell the British minister, whenever you think proper, that you, and I, and the leading persons in this administration, have opposed the course heretofore pursued by the government and the country, on the subject of the colonial trade. Be sure to let him know, that, on that subject, we have held with England, and not with our own government." Now I ask you, sir, is this be dignified diplomacy? Is this statesmanship? Is it patriotism, or is it mere party? Is it a proof of a high regard to the honor and renown of the whole country, or is it evidence of a disposition to make a merit of belonging to one of its political divisions?

The secretary proceeds: "*Their views (that is, the views of the present administration) upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed, are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts.*"

Now, sir, in the first place, there is very little reason to suppose that the first part of this paragraph is true, in point of fact. I mean that part which intimates that the change of administration was brought about by public disapprobation of Mr. Adams's conduct, respecting the subject of the colonial trade. Possibly, so much was then said, on a subject which so few understood, some degree of impression may have been produced by it. But be assured, sir, another cause will be found, by future historians, for this change; and that cause will be the popularity of a successful soldier, united with a feeling, made to be considerably extensive, that the preferences of the people in his behalf had not been justly regarded, on a previous occasion. There is, sir, very little ground to say that "the only tribunal to which the late administration was amenable" has pronounced any judgment against it for its conduct on the whole subject of the colonial trade.

But, however this may be, the other assertion in the paragraph is manifestly quite wide of the facts. Mr. Adams's administration did not bring forward this claim. I have stated, already, that it had been a subject, both of negotiation and legislation, through the whole eight years of Mr. Monroe's administration. This the secretary knew, or was bound to know. Why then does he speak of it as set up by the late administration, and afterwards abandoned by them, and not now revived?

But the most humiliating part of the whole follows:—"To set up the acts of the late administration, as the cause of forfeiture of privileges, which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility."

So, then, Mr. President, we are reduced, are we, to the poor condition, that we see a minister of this great republic instructed to argue, or to intercede, with the British minister, lest he should find us to have forfeited our privileges; and lest these privileges should no longer be extended to us! And we have forfeited those privileges, by our misbehaviour, in eluding rulers, who thought better of our own claim, than of the British! Why, sir, this is patently submitting to the domineering tone of the British minister, I believe, Mr. Huskisson—[Mr. Clay said, "no, Mr. Canning."]—Mr. Can-

ning, then, sir, who told us that all our trade with the West Indies was a *boon*, granted to us by the indulgence of England. The British minister calls it a *boon*, and our minister admits it is a *privilege*, and hopes that his royal majesty will be too gracious to decide that we have forfeited this privilege, by our misbehaviour, in the choice of our rulers! Sir, for one, I reject all idea of holding any right of trade, or any other rights, as a *privilege* or a *boon*, from the British government, or any other government.

At the conclusion of the paragraph, the secretary says, "*you cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has bearings and relations that reach beyond the immediate question, under discussion.*"

And adverting, again, to the same subject towards the close of the despatch, he says, "*I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this government, to have an adverse influence upon the present conduct of Great Britain.*"

I ask again, Mr. President, if this be statesmanship? if this be dignity? if this be elevated regard for country? Can any man read this whole despatch, with candor, and not admit, that it is plainly and manifestly the writer's object to gain credit with the British ministry for the present administration, at the expense of the past? Certainly, this object appears to me as plain and visible as the sun at noon.

Least I should do the secretary injustice, I will read all that I find, in this letter, upon this obnoxious point. These are the paragraphs:

"Such is the present state of our commercial relations with the British colonies; and such the steps by which we have arrived at it. In reviewing the events which have preceded, and more or less contributed to, a result so much to be regretted, there will be found three grounds upon which we are most assailable; 1st, in our too long and too tenaciously resisting the right of Great Britain to impose protecting duties in her colonies;" 2nd, &c.

"The opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence, (as far as you may deem it proper and useful so to do), of the respective parts taken by those to whom the administration of this government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade. Their views upon that point have been submitted to the people of the United States; and the counsels by which your conduct is now directed are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts. It should be sufficient that the claims set up by them, and which caused the interruption of the trade in question, have been explicitly abandoned by those who first asserted them, and are not revived by their successors. If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds. To set up the acts of the late administration as the cause of forfeiture of privileges which would otherwise be extended to the people of the U. States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course so unwise and untenable is calculated to produce, would doubtless be greatly aggravated by the consciousness that G. Britain has, by order in council, opened her colonial ports to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of July, 1825. You cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has bearings and relations that reach beyond the immediate question under discussion."

"I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this government to have an adverse influence upon the present conduct of Great Britain."

Sir, I submit to you, and to the candor of all just men, if I am not right in saying, that the pervading topic,

through the whole, is, not American rights, not American interests, not American defence, but denunciation of past pretensions of our own country, reflections on the past administration, and exultation, and a loud claim of merit, for the administration now in power. Sir, I would forgive mistakes; I would pardon the want of information; I would pardon almost any thing, where I saw true patriotism and sound American feelings; but I cannot forgive the sacrifice of this feeling to mere party. I cannot concur in sending abroad a public agent who has not conceptions so large and liberal, as to feel, that in the presence of foreign courts, amidst the monarchies of Europe, he is to stand up for his country, and his whole country; that no jot nor tittle of her honor is to come to harm in his hands; that he is not to suffer others to reproach either his government or his country, and far less is he himself to reproach either; that he is to have no objects in his eye but American objects, and no heart in his bosom but an American heart; and that he is to forget self, to forget party, to forget every sinister and narrow feeling, in his proud and lofty attachment to the republic, whose commission he bears.

Mr. President, I have discharged an exceedingly unpleasant duty, the most unpleasant of my public life. But I have looked upon it as a duty, and it was not to be shunned. And, sir, however unimportant may be the opinion of so humble an individual as myself, I now only wish that I might be heard by every independent freeman in the United States, by the British minister, and the British king, and by every minister and every crowned head in Europe, while standing here in my place, I pronounce my rebuke, as solemnly and as decisively as I can, upon this first instance, in which an American minister has been sent abroad, as the representative of his party, and not as the representative of his country.

Remarks of Mr. Holmes.

Mr. President: In offering these resolutions, [proposing an inquiry, &c.] I am governed by the expectation that the inquiry proposed by them will lead to disclosures in regard to transactions which are still involved in considerable mystery. Public opinion is not yet settled down as to the true causes of the late explosion in the cabinet. That a cabinet of the president's own selection, and whose official duties hail, by his own admission, been performed to his entire satisfaction, should so soon be dispersed, is an event so extraordinary in the history of this country, that the public, and especially the senate, have a right to be informed of the causes which led to, or operated in, producing such a strange result. The people, whose money has been squandered to derange, and re-organize this cabinet, are interested in this inquiry. If the gentleman whose nomination is now the subject of consideration, has in any way contrived or contributed to bring about the event, it would go far to disqualify him for the office to which he has been nominated, and if not, it is due to him that the inquiry should be had. Suspicion rests heavy on him, and, when that is the case, it is always good ground for investigation. I did expect that his friends, instead of objecting, would have consented to, and insisted upon the investigation proposed by the resolution. Is it because they fear the result? They say not—but the inquiry proposed is not in terms what it should be. I, sir, have never insisted that the form of the resolution should be preserved. If I can obtain the object, I will put them in any shape which may be agreeable to a majority of the senate. That this must be an *ex parte* inquiry, and when Mr. Van Buren is absent at such a distance that he cannot be informed of the investigations which affect his character, I can only say, that if a man will consent to take an appointment in the recess, knowing that the senate must pass upon him in his absence, he takes the hazard of an *ex parte* investigation, or is willing to trust his case in the care of his friends. Sir, if it be otherwise, the senate is entirely precluded from any inquiry into his merits until he chooses to return, or the president is pleased to recall him.

For myself, sir, I am opposed to this nomination on other grounds, and I propose this inquiry rather to satisfy others, although on this point I should prefer to be satisfied. I am against him, because he has humbled us

in the eyes of foreign nations. He has surrendered the rights of this country to Great Britain to sustain his party. It is the first time this country was ever thus disgraced; and I would it should be the last. And, if I had no other reason, his appointment in the recess, to fill a vacancy created in the recess, is enough for me. I have always disapproved sending off a minister in the recess of the senate, without the most imperative reasons. It is compelling the senate to approve the appointment, or subject us to the loss of the outfit. I would at that expense, break up the practice—it would be an essential saving. It is, moreover, evading that constitutional check which the senate were designed to have in the appointment of ambassadors, and in our foreign negotiations. I would protect the exercise of this power by the senate, and never surrender it.

It is objected to these resolutions that they are not sufficiently specific. Sir, it is not expected that a motion for inquiry will be drawn with the same precision as an indictment. If you can designate the acts precisely, there is no necessity for inquiry. It is for want of a full knowledge of the particular acts that inquiry has become necessary. We know full well that the political movement referred to in the resolution has been differently explained. Mr. Van Buren himself could not remain without a *disfranchisement*. What particular *disfranchisement* that was; the public has not yet learnt. We would like to know what privileges of a free citizen he was compelled to surrender, as the price of his office, and whether that surrender was any way connected with the removals and the other resignations. Will any one say, or pretend, that a participation in that extraordinary affair would not affect his qualifications as minister? Sir, who ever brought about that explosion, is unfit for any office. The whole nation was convulsed by it, and a stain is cast upon this administration which can never be effaced. The exchange of officers, too, by the late minister, and the appointment of Mr. Van Buren to succeed him, and so soon after this explosion, furnishes a sufficient ground of inquiry. The late minister had been out but a short time: he had scarcely become acquainted at the court where he was sent. There should be strong reasons for recalling a minister, and supplying his place with a new man, and the expense should never be incurred unless the public good manifestly demanded it. This looks much like making provision for a man who, from mysterious circumstances, had been compelled to quit the office which he had held; and I know no principle in this government, which will justify creating offices or vacancies to provide for favorites, or to reward a partisan.

Do the friends of Mr. Van Buren object to the inquiry? They say not; it is the resolutions to which they object. And yet their reasoning goes against any inquiry. But if the objection is to the manner or extent of the inquiry, why not propose to amend the resolutions, or offer one of their own? Indulging in objections which go to the form, and which seem to be captious withal, indicates strongly a wish to suppress all inquiry. It is objected, that the investigation proposed may disclose impeachable matter. This is always the bugbear to frighten us away from all investigation into the conduct of any man, and to place every officer of your government beyond the reach of responsibility. But really it seems to me to be exceedingly out of place here. We may find matter that would impeach Mr. Van Buren? How? In what office would he be impeachable? Not as secretary of state, for he is out of that office. Not as minister to Great Britain, for in that office he, as yet, has done nothing. How, then, I repeat, can we possibly be in any such danger? It does appear to me, that this is the weakest of all objections. But one word further, in answer to this hackneyed objection, as to impeachable matter. The senate have a present executive duty to perform: to ascertain whether Mr. Van Buren is a proper person for minister to Great Britain, in order to determine whether we can give the president our advice and consent to his appointment; and in this we are told that we are restrained from inquiry, lest this executive duty which we are now to perform, shall conflict with a future judicial duty which we, by possibility, may have to perform! Sir, it is enough to state the objection to show its manifest absurdity. And where does this

argument of the gentleman lead us? It shuts the door of inquiry forever, and every man, now in office, nominated for another, must be "taken and deemed" worthy, lest the senate should stumble upon impeachable matter!

I find, therefore, that senators who profess to court inquiry, urge objections, which would defeat all investigation. It must be impossible, then, to frame any resolutions, which would meet their views; and why should I further modify these to please them, when they are determined to be satisfied with nothing?

Sir, as to the *disgrace* attached to these resolutions, I allow no man to judge for me, what is honorable or disgraceful. That they refer to a disgraceful transaction, I readily admit. But I have yet to learn, that if the administration descend to scandalous transactions, that it is beneath the dignity of this senate to call them to account.

Note.—It is, perhaps, due to the public, that I should, to prevent false impressions, explain the reasons why the resolutions which I offered, were laid on the table, and not afterwards taken up and acted on. The resolutions were objected to by some of Mr. Van Buren's friends, and the form of them by some of those who eventually voted against him. But several of his friends had in debate urged arguments which would go greatly against any resolutions of inquiry upon this nomination. Such as the absence of the person nominated, and the danger of finding impeachable matter, &c. To these senators I readily perceived that no inquiry would be acceptable. Of those who finally voted against the nomination, some wished the resolutions modified. To give time to frame them so as to suit all who wished inquiry, I moved to lay the resolutions on the table.—Whether any resolutions of inquiry could have been framed that would have met the approbation of the friends of Mr. Van Buren, is not for me to say. After this, I was asked by a member, if I intended to call up the resolutions, or "bill of indictment," and if I did, when? My answer was—"Not till the grand jury is in, if at all." Then, turning to a senator from New York, I informed him distinctly that I would let him know to-morrow whether I should call up the resolutions or not; and, if it should be my determination to call them up, he was to move to go into executive business, for the purpose of discussing and deciding them.

The next morning I drew a substitute for the first resolution, as follows:

"That the nomination of Martin Van Buren, as minister to Great Britain, be referred to a select committee; and that the committee be instructed to inquire what were the causes of the removal from office of the late secretaries of the treasury and navy, and the attorney general, and of the resignations of the late secretaries of state and war; and whether Mr. Van Buren had any, and, if any, what agency, in bringing about the change of the late cabinet.

"And, also, to inquire whether Mr. Van Buren did resign his office as secretary of state, under a promise, or understanding, that he was to be appointed minister to Great Britain; and with a further understanding with the late minister to Great Britain, that he was to be provided with the place which he now enjoys."

I showed this to several of my friends, who were satisfied with it. But others preferred the original resolutions; and, believing no form could be devised by me which would be acceptable; and that the facts sought to be disclosed by them, might be ascertained without the intervention of a committee, I informed the senator that I should not call them up, in these words, which I wrote down at the time: "I am satisfied that the facts to be inquired into by the resolutions which I offered on the nomination of Mr. Van Buren, can be ascertained without a committee; and, therefore, I shall not call them up." Thus leaving the friends of Mr. Van Buren to prosecute the inquiry by a committee, or to permit the facts to be ascertained by each senator for himself.

J. HOLMES.

Remarks of Mr. Clay.

Mr. Clay said, after the most deliberate consideration, I regret that I find myself utterly unable to reconcile with the duty I owe to my country, a vote in favor of this nomination. I regret it,

because in all the past strife of party, the relations of ordinary civility and courtesy were never interrupted between the gentlemen whose name is before us, and myself. But I regard my obligations to the people of the United States, and to the honor and character of their government, as paramount to every private consideration. There was no necessity known to us for the nomination of this gentleman from the United States, prior to the departure of his name to the senate. Great Britain was represented here by a diplomatic agent, having no higher rank than that of a chargé des affaires. We were represented in England by one of equal rank; one who had shed lustre upon his country by his high literary character, and whom it may be justly said that, in no respect, was he inferior to the gentleman before us. Although I shall not controvert the right of the president, in an extraordinary case, to send abroad a public minister, without the advice and consent of the senate, I do not admit that it ever ought to be done without the existence of some special cause to be communicated to the senate. We have received no communication of the existence of any such special cause. This view of the matter might not have been sufficient alone to justify a rejection of this nomination; but it is sufficient to authorize us to examine the subject with as perfect freedom as we could have done if the minister had remained in the United States, and awaited the decision of the senate. I consider myself, therefore, not committed by the separate and unadvised act of the president in despatching Mr. Van Buren, in the vacation of the senate, and not a very long time before it was to assemble.

My main objection to the confirmation of his appointment, arises out of his instructions to the late minister of the United States at the court of Great Britain. The attention of the senate has been already called to parts of those instructions; but there are other parts of them, in my opinion, highly reprehensible. Speaking of the colonial question, he says: "In reviewing the events which have preceded, and more or less contributed to a result so much to be regretted, there will be found three grounds on which we are most assailable. First, in our too long and too tenaciously resisting the right of Great Britain to impose protecting duties in her colonies." "Secondly, in our failure, in omitting to accept the terms offered by the act of parliament of July 1846, after the subject had been brought before congress, and deliberately added upon by our government." "Thirdly, in our failure to see the propriety of possessing yourself fully of all the explanatory and mitigating circumstances connected with them that you may be enabled to obviate, as far as practicable, the unfavorable impression which they have produced." And after reproaching the late administration with setting up claims for the first time, which they explicitly abandoned, he says, in conclusion, "I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this government to have adverse influence upon the present conduct of Great Britain."

On our side, according to Mr. Van Buren, all was wrong; on the British side, all was right. We brought forward nothing but claims and pretensions; the British government asserted on the other hand a clear and incontestible right. We erred in too transgressively and too long insisting upon our pretensions and not yielding at once to the force of their just demands. And Mr. McLane was commanded to avail himself of all the circumstances in his power to mitigate our offence, and to dissuade the British government from allowing this feelings justly incurred by the past conduct of the party driven from power, to have an adverse influence towards the American party now in power. Sir, was this becoming language from one independent nation to another? Was it proper in the mouth of an American minister? Was it in conformity with the high, unsullied, and dignified character of our previous diplomacy? Was it not, on the contrary, the language of an humble vassal to a proud and haughty lord? Was it not prostrating and degrading the American eagle before the British lion?

Let us examine a little these pretensions which the American government so unjustly put forward and so pertinaciously maintained. The American government contended that the produce of the United States ought to be admitted into the British West Indies, on the same terms as similar produce of the British American continental possessions; that, without this equality, our produce could not maintain in the British West Indies a fair competition with the produce of Canada; and that British preference given to the Canadian produce in the West Indies would draw from the western part of New York and the northern part of Ohio American produce into Canada, aggrandizing Montreal and Quebec, and giving employment to British shipping, to the prejudice of the canals of New York, the port of New York, and American shipping.

This was the offence of the American government; and we are at this moment realizing the evils which it foresees. Our produce is passing into Canada, enriching her capitals, and nourishing British navigation. Our own wheat is transported from the western part of New York into Canada, there manufactured, and thence transported in British ships in the form of Canadian flour. We are thus deprived of the privilege even of manufacturing our own grain. And when the produce of the United States is shipped from the Atlantic ports, arrives at the British West Indies, it is unable in consequence of the heavy duties with which most of it is burthened, to sustain a competition with British or colonial produce, freely admitted.

The general rule may be admitted that every nation has a right to favor its own productions, by protecting duties or other regulations; but, like all general rules, it must have its exceptions. And the relation in which Great Britain stands to her continental and West India colonies, from which she is separated by a vast sea, and the relations in which the United States stand to these colonies, some of which are in juxtaposition with them, constitute a fit case for such an exception.

It is true that the late administration did authorize Mr. Gallatin to treat with Great Britain upon the basis of the rule which has been stated, but it was with the express understanding that some competent provision should be made in the treaty to guard against the British monopoly of the transportation of our own produce passing through Canada. Mr. Gallatin was informed "that the United States consent to receive the demand which they have heretofore made of the admission of their productions into British colonies at the same, and no higher rate of duty, as similar productions are chargeable with when imported from one another British colony, with the exception of our produce descending the St. Lawrence and the St. Lawrence." (1)

There was no abatement of our right, no condemnation of the previous conduct of our government, no humiliating admission that we had put forth, and too tenaciously clung to, unsustainable pretensions, and that Great Britain had all along been in the right. We only forbore, for the present, to assert a right, leaving ourselves at liberty, subsequently, to resume it. What Mr. Gallatin was authorized to do was to make a temporary concession, and it was proposed with this preliminary announcement: "But notwithstanding, on a full consideration of the whole subject, the president, anxious to give a strong proof to Great Britain of the desire of the government of the United States to arrange this long-unsatisfied matter of the colonial intercourse, in a manner mutually satisfactory, authorizes you." (2) And Mr. Gallatin was required "to endeavor to make a lively impression on the British government, of the conciliatory spirit of that of the United States, which has dictated the present liberal offer, and of their expectation to meet, in the progress of your negotiations, with a corresponding friendly disposition."

Now, sir, keeping sight of the object which the late secretary of state had in view, the opening of the trade with the British colonies, which was the best mode to accomplish it? To send our ministers to prostrate himself, as a suppliant, before the British throne, and to say to the late American administration brought forward pretensions which we cannot sustain, and they too long and too tenaciously adhered to them. Your majesty was always in the right. But we hope that your majesty will be graciously pleased to recollect, that it was not we, who are now in possession of the American power, but those who have been expelled from it, that wronged your majesty; and that we are now on the side of your majesty. And we do humbly pray that your majesty, taking all mitigating circumstances into consideration, will graciously condescend to extend to us the privileges of the British act of parliament of 1825, and to grant us the boon of a trade with your majesty's West India colonies!—Or, to have presented himself before the British monarch in the naïve and dignified attitude of a minister of this republic, and, abstaining from all condemnation or animadversion upon the past conduct of his own government, to have placed the withdrawal of our former demand upon the ground of concession, in a spirit of amity and compromise!

But the late secretary of state, the appointed organ of the American people to vindicate their rights with all foreign powers, and to expose the injustice of any unfounded demands which they might assert, was not content with exerting his ingenuity to put his own country in the wrong and the British government in the right. He endeavored to attach to the late administration the discredit of bringing forward unfounded pretensions, and, by disclaiming them, to propitiate the favor of the British king. He says that the views of the present administration, upon the subject of the colonial trade, "have been submitted to the people of the U. States; and the counsels by which your conduct is now directed, are the result of the judgment expressed by the only regularly triennial to which the late administration was amenable for its acts. It should be sufficient that the claims set up by them, and what caused the interruption of the trade in question, have been explicitly abandoned by those who first asserted them, and are not revived by their successors." The late secretary of state, the gentleman under consideration, here makes the statement that the late administration were the first to set up the claims to which he refers. Now, under all the high responsibility which belongs to the seat which I occupy, I deliberately pronounce that this statement is untrue; and that the late secretary either must have known it to be untrue, or he was culpably negligent of his duty in not ascertaining what had been done under prior administrations. I repeat the charge—the statement must have been known to be untrue, or there was culpable negligence. If it were material, I believe it could be shown that the claim in question was material to the admission into the British West Indies of the produce of the United States upon an equal footing with similar produce of the British continental colonies—is coeval with the existence of our present constitution; and that whenever the occasion arose for asserting the claim, it was asserted. But I shall go no further back than to Mr. Madison's administration. Mr. Monroe, the then secretary of state, instructed our then minister at London, upon this subject, he instructed Mr. Caldwel, in the following terms: "It is the very claim prevented an adjustment, at that time, of the colonial question. It was again brought forward under Mr. Monroe's administration, when Mr. Rush was our minister at London. He opened a long and protracted negotiation upon this and other topics, which was suspended in the summer of 1824, principally because the parties could not agree on any satisfactory arrangement of this very colonial question."

Thus, at least, two administrations, prior to that of Mr. Adams, had brought forward this identical claim or pretension which his was the first to assert, according to the late secretary of state. The next charge, which the late secretary of state, the official defender of the rights of the American people, preferred against his own government, was that of "omitting to accept the terms offered by the act of parliament of July, 1825, after the subject had been brought before congress, and deliberately acted upon by

our government." Never was there a more unfounded charge brought forward by any native against his own government; and never was there a more unwarranted apology set up for a foreign government; and a plain historical narrative will demonstrate the truth of both these propositions.

It has been already stated that the negotiation of Mr. Rush embracing the precise colonial claim under consideration, was suspended in 1824, with an understanding between the two governments that it was to be resumed on all points at some future convenient period. Early in July, 1825, our government having then proposed a resumption of the negotiation, the British parliament passed an act to regulate the colonial trade with foreign powers. This act was never, during the late administration, either at London or Washington, officially communicated by the British to the American government; and we only obtained it through other channels. Now, if it had been the purpose of the British government, by the passage of that act, to withdraw the colonial question from the negotiation, it ought to have communicated that purpose to this government, and, at the same time, the act of parliament, as supplanting and substituting the negotiation. But it never did communicate such purpose. The act itself did not sever did communicate such purpose. The act itself did not sever, specifically embracing the United States, and offered terms which, upon the face of the act, it was impossible for the U. States to accede to. It required, for example, that, to entitle powers, not possessing colonies, to the benefit of the act, they must place the navigation and commerce of G. Britain upon the footing of the most favored nation. To have done this, would have admitted British shipping to import into the U. States, on the same conditions with native shipping, the American productions of any quarter of the globe, without a reciprocal liberty on the part of the shipping of the U. States in British ports. The act itself was differently construed in different colonial ports of G. Britain; and an order of the local government of Halifax, closing that port against our vessels from the 5th of January, was subsequently revoked; thereby confirming the impression that the act of parliament was not intended to dispense with the previous reciprocity. And, to conclude the part of the act, as late as the 20th of October, 1826, Mr. Vaughan, the British minister, upon being interrogated by the then secretary of state, was totally misinformed to afford any information as to the meaning or intent of the act of July, 1825.

Mean time, in March, 1825, more than six months after the passage of the act of parliament, Mr. Vaughan notified the department of state, that he had "received instructions from his majesty's government to acquaint you that it is preparing to proceed to the important negotiations between that country and the United States now placed in the hands of the American minister in London."

"The negotiations will therefore be forthwith resumed." * * * Here the negotiations were spoken of, without exception of the colonial question, the most important of them. If it had been intended to withdraw that, no time could have been more suitable to announce that intention; but no such announcement was made. Mr. Vaughan was informed that we also would prepare for the negotiation, (including, of course, the colonial question), and Mr. Gallatin was accordingly shortly after sent out with full powers and instructions annually to settle that question. On his arrival in England, in the summer of 1826, he was told by the British government that they would not negotiate on the colonial question; that they had made up their mind from the passage of the act of July, 1825, not to negotiate about it; and he was informed by the sarcastic Mr. Canning, that as we had failed to accept the BOON, which the British government had then offered, we were then too late!

Such is the state of the case on which the late secretary of state so authoritatively pronounces judgment against his own government for "omitting to accept the terms offered by the act of parliament of July, 1825!" He adds, indeed, "after the subject had been brought before congress, and deliberately acted upon by our own government." It was brought before congress in the autumn of 1825-6, not at the instance of the American executive, but upon the spontaneous and ill-judged motion of the gentleman from Maryland, (Mr. Smith), and Mr. Gallatin was informed that if the bill proposed by that gentleman had been passed, it would have been unsatisfactory to the British government.


I have another objection to this nomination. I believe, upon circumstances which satisfy my mind, that to this gentleman is principally to be ascribed the introduction of the odious system of proscription for the exercise of the elective franchise, in the government of the people were to be put up to a semblance, by the action which the party in his own state, of which he is the reputed head, constantly acts. He was among the first of the secretaries to apply that system to the dismission of clerks in his department, known to me to be highly meritorious, and among them one who is now a representative in the other house. It is a detestable system, drawn from the worst periods of the Roman republic; and if it were to be perpetuated; if the officers, honors, and emoluments of the people were to be put up to a semblance, by the result of every presidential election, our government and institutions, becoming intolerable, would finally end in a despotism as inexorable as that at Constantinople.

Sir, the necessity under which we are placed is painful. But it is no fault of the senate, whose consent and advice are required by the constitution to consummate this appointment, that the minister has been sent out of the United States without their concurrence. I hope that the public will not be prejudiced by his rejection, if he should be rejected. And I feel perfectly assured that, if the government to which he has been deputed shall learn that he has been rejected because he has there, by his instructions to Mr. McLane, stained the character of our country, the moral effect of our decision will greatly outweigh any advantages to be derived from his negotiations, whatever they may have been intended to be.

FOURTH SERIES.] No. 24—VOL. V. BALTIMORE, FEB. 11, 1832. [VOL. XLI. WHOLE No. 1,064

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

 The report made to the N. York convention by the committee on the manufactures of iron and steel, was published as an ADDENDUM to the present volume of the REGISTER, and we now forward a whole sheet of other reports to be added to that—and next week expect to issue another sheet that will conclude the report on sugar, and get-in all the rest of the reports which have passed through the hands of the executive committee.

A very curious fact is stated by Mr. Poindexter—that Mr. *Van Buren* was fixed upon as the successor of Mr. *McLane*, before the dissolution of the old cabinet.

Remarks of Mr. Smith.

the constitution is not to be violated. I have been nearly nine years in congress, and this is the first time I have ever heard any other constructions seriously urged, than, "that the instructions given to ministers abroad are the act of the president." All the instructions, I remember, commence thus—"I am instructed by the president to give you the following views, &c. &c." or words to that effect. I well remember a case in point, which I happened to be called on to discuss more than thirty years ago. I was asked by what authority the navy: he asked me what the house of representatives were doing. I replied, that they were discussing the report of Mr. Pickens. Do the house consider it as the report of the president, or the secretary of state? It is considered as the act of the president, who sent it, and how could it otherwise be considered? I come, said the secretary, from Mr. Adams, to request you to say, that he disavows it. I then states that Mr. Adams had said to Mr. Pickens, and not as his (Mr. Adams) act. I returned into the house of representatives, and in the debate, took occasion to comment upon the re-

origin relations. Maine (*Mr. Holmes*) has said that "Mr. McLane was sent to bow and cringe at the feet of the British minister." That senator knows little of Mr. McLane! What a native American, the son of a distinguished officer of the revolution, bow and cringe at the feet of any man! I can assure that senator that Mr. McLane is not made of such pliant materials. No, sir; Mr. McLane came to the point at once. He asked for what was right. He set up no silly pretensions. He refused to negotiate on any terms but the terms of justice. He asked for a negotiation as they did with Mr. Gallatin. But, sir, his firmness and frankness conquered the reluctance of the ministry to enter into a negotiation. He convinced them, that they had departed from a rigid construction of the act of parliament of July, 1823, in the claims of France, Russia, and Spain; they could not, therefore, in justice, he asserted, refuse a similar departure, in the demand of equal justice to the United States. He frankly told them that the purpose of the act of July, 1823, was to protect colonial trade, and that if he indulged in a negotiation, he would return home. Call you this, bowing and cringing at the feet of the British ministry? Is there any cringing in the despatches of Mr. McLane? No one will say there is. The truth is, Mr. President, and it ought to be known to the people, that *the front of the offence is, the negotiation has completely succeeded under the instructions given by Mr. Van Buren. The British have failed. The only if any crime that never can be forgiven by the opponents of General Jackson. They will never pardon him for succeeding in all the negotiations, in which the preceding administration had completely failed. For instance, the late administration had attempted and failed, in all the following important objects, namely in the claims on France; in the opening of the Black Sea to our commerce, in making a treaty with Mexico; in obtaining from Colombia a cession of territory, in the claims on England, and in quashing the duties charged on our trade, with those charged to England. In all these matters, there was a complete failure by the one, and complete success by the other administration. The successful negotiations were under the instructions of Mr. Van Buren. How, then, can Mr. Van Buren be pardoned by those who had failed? It is true, that the convention with Denmark and Brazil for reimbursement, had been closed, or nearly so, when Mr. Van Buren was called to the office. But Mr. Van Buren was effected by Mr. Connell, the agent of the claimants, without any instructions having been received by the charge des affaires. The*

5 Since the above speech was delivered, I have seen and
6 conversed with the president, and have been authorized to say,
7 that the objectionable paragraphs alluded to in the debate, were
8 dictated by him to Mr. Van Buren—that they were his act, and
9 not the act of Mr. Van Buren;—and I have been subsequently
10 informed, by a senator from Tennessee, that prior to his leaving
11 home, to assume his station in the senate, the president had told
12 him, that he (gen. Jackson) would, on all occasions of conse-
13 quence, require the opinion of his cabinet;—that he had, there-
14 fore, the senator understood, been in consultation with his cabinet
15 before the senator undertook his dispute with the cabinet meetings
16 of the president, and not calling on his cabinet together, was the president's
17 own act, and not in consequence of the advice of
18 Mr. Van Buren, as has been so repeatedly affirmed.

* We have also a second speech of Mr. Clay, in reply to Messrs. Forsyth and Smith. It would have been preferred as a reply, had it been received in time.

charge acted, he told me, as a private friend of the agent, and succeeded.

[The senator from Kentucky, (Mr. Clay), in a subsequent speech on this subject, remarked, that he had himself instructed Mr. Hughes, the charge des affaires to Sweden, to attend to the claims of our merchants against Sweden, and that the senator from Maryland, (Mr. Smith), was either mistaken or misinformed. Mr. Smith made no reply; but addressed a note to the secretary of state for information, whether Mr. Clay, when secretary of state, had ever given the instructions, which he asserted had been given by him to Mr. Hughes. The reply of the secretary of state, contradicting the averment of Mr. Clay on this point.—See note.]

The senator from Kentucky, (Mr. Clay), has charged Mr. McLane with having done injury to the navigating interest, by the opening of the St. Lawrence, and the northern ports, to our free intercourse—thus transcribing, as he said, the carrying of the produce of Michigan, Indiana, Ohio, New York, Vermont, and Maine, to British ships, which would otherwise have been carried by our own ships. I believe the farmers of those states do not complain. They know that their produce sold in Montreal, is received there free of duty, and is carried to England, Ireland, and the West Indies, as if it were the produce of Canada. It is of little importance to them who is the carrier, provided they get an additional market, and a better price for their produce. I regret, Mr. President, that I cannot give the credit of that important act to Mr. McLane. He, however, had nothing to do with it. It formed no part of his arrangement. The opening of that intercourse, for certain articles of our produce, had been done gratuitously by the British government in 1820, prior even to the attempt at negotiation by Mr. Gallatin. Now that act must have been known. It could not fail to have been known to the senator, (Mr. Clay), then the secretary of state. Why, then, does he now charge it as a fault committed by Mr. McLane, who had no more to do with it than the man in the moon? Nor had Mr. McLane any thing to do with the act of Great Britain, passed subsequently to the arrangement made by him; by which act, other articles of our produce are admitted free of duty into the British colonies, and from thence are received in England and the West Indies, as if they were the produce of the Canadas. The senator (Mr. Clay), complains that the produce of our farmers, bordering on Canada, is received in England on equal terms with those of Canada, thus giving a new market to a part of their articles, without which other markets might be overstocked. The senator (Mr. Clay) has truly said, that the wheat of the states bordering on the Canadas, pass into Canada, is there ground, and the flour shipped to British ports, as if it were the produce of the wheat of Canada. This has been the spontaneous act of Great Britain, adopted for her own interest, and is most certainly highly beneficial to our farmers. An immense number of sheep, hogs, horses, and cattle are driven annually from Maine to Quebec, and New Brunswick. The farmers and grainers of Maine differ in opinion with the senator from Kentucky, (Mr. Clay), and are really so simple, as to believe, that their free trade to the British colonies, and New Brunswick, is highly beneficial to them. Whether the intercourse with the British North American colonies is beneficial, or whether it is injurious, the present administration, nor Mr. McLane had little part in it. It had been effected, in part, before the arrangement was concluded, and soon after for another part. It formed, as I have previously said, no part of the arrangement with Great Britain, and this fact must have been known to the senator, (Mr. Clay), for he then acted as secretary of state. We have for nearly half a century been claiming the free navigation of the St. Lawrence as a natural right. It has at length been gratuitously conceded to us by Great Britain, and now the senator from Kentucky, (Mr. Clay), complains of it as a grievance.

The senator, (Mr. Clay), also complains that the instructions state, "that the late administration had abandoned certain pretensions." The senator admits that these pretensions had been waived. The senator from Georgia (Mr. Forsyth), has contended that there is no difference in substance between these words. I leave this grave question to be settled by those learned senators, and will proceed to show what those pretensions were, and which, I can hardly restrain myself from pronouncing, were puerile in the extreme.

During the session of 1822, congress was informed, that an act was pending in parliament, for the opening of the colonial ports to the commerce of the United States. The conqueror, an act passed, authorizing the president, in case the act of parliament was satisfactory to him, to open the ports of the United States to British vessels, by his proclamation. The act of parliament was deemed satisfactory, and a proclamation was accordingly issued, and the trade commenced. Unfortunately for our commerce, and I think, contrary to justice, a treasury circular issued, directing the charge British minister to suspend our ports, with the alien tonnage and discriminating duty. This order was remonstrated against, (I think), by Mr. Vaughan. The trade, however, went on uninterrupted. Congress met, and a bill was drafted in 1823, by Mr. Adams, then secretary of state, and passed both houses, with little, if any debate—I voted for it, believing that it met, in a spirit of reciprocity, the act of parliament. This bill contained, however, one little word, "as where," which completely frustrated all our expectations. It was introduced by no one. The senator from Massachusetts, (Mr. Webster), may have understood its effect. If he did so understand it, he was silent. The effect of that word "elsewhere" was to assume the pretensions alluded to in the instructions. What were they? "That the produce of the United States should be received in the West Indies, on payment of the same duties, as were payable on the produce of the North American colonies." The British minister said, "as

well might we ask that our sugar should be received free of duty, as is the sugar of Louisiana."

The result was, that the British government shut their colonial ports immediately, and thenceforward. The act of 1822, gave us a monopoly of the West India trade. It admitted free duty, a variety of articles, such as—Indian corn, oats, Indian meal, peas, beans, &c. &c. &c.

The British government thought, that we entertained a belief, that they could not do without our produce, and by their acts of 27th June, and 5th July 1823, they opened their ports to all the world, on terms far less advantageous to the United States, than those of the act of 1822; and these are the pretensions which the instructions say, had been abandoned by the late administration. They were abandoned, Mr. President, by the following words in the instructions to Mr. Gallatin:—"That the United States consent to waive the demand which they have heretofore made of the admission of their productions into British colonies, at the same and no higher rate of duty, as similar articles are chargeable with, when imported from one into another British colony, with the exception of our produce descending the St. Lawrence and the St. Lawrence." Now, sir, what difference there may be between the words "waiver," and "abandonment" in common parlance, it is in this case, a complete abandonment in diplomatic language. What a simple truth, is after all, the great ground of objection! It is this—Mr. McLane has made an arrangement conformably to the preceding instructions from Mr. Adams to Mr. Gallatin. His rule is crying.

The dissolution of the late cabinet, Mr. President has been charged upon Mr. Van Buren; and what is there at home or abroad that we have not heard charged to him? The elder Adams charged all his cabinet except the secretary of the navy. The charge was approved by the democratic party, and disapproved by the aristocratic of the day. A change of the cabinet is, therefore, nothing new. We now grope and lament over the late change, and yet never was a cabinet more traduced than the late one, by the whole body of the opposition throughout the union. The cabinet certainly was such an one, as did not meet the views or approbation of the friends of the administration. They regretted in silence the selections which the president had made. The cabinet members selected were honest and honorable men. They were my political friends, and, I may say, some of them were my personal intimates. Their dismissal has done no harm to the nation. The new cabinet is, (I believe), more acceptable to all parties. The members of it, are known to be competent to the special duties of their several departments, and equally so, as advisers in the great affairs of the nation. What is it to the people whether A, B, C, or D, be at the head of affairs! All the people ask is, that a man be honest, and able to perform his duty. I think that the present president has held no cabinet councils for two years, and Mr. Van Buren is charged as being the adviser of the president to that effect—Is this mode new? I think not. I think that, when Washington held no cabinet council, during the first two years of his administration, and I remember well, a discussion in strong terms, against the president's holding them, on the ground of their being unconstitutional. I think that general Jackson was at that time a member of congress, and again he has been imbued the opinion, that cabinet councils were not conformable with the constitution. Assuming this, I must believe, that the not assembling his cabinet was *his own act*, and not in consequence of the representations of Mr. Van Buren. The unpardonable crime of this gentleman has always been, that the president has great confidence in his talents and abilities, which all will admit, he possesses, in as eminent a degree.

From Mass. (Mr. Webster), says, that "instructions shewing a difference of opinion in the dominant party, with that of the defeated party, had never been given by any government." I ask, Mr. President, on what ground does the senator make that assertion? Few nations, if any, except our own, have ever published their instructions to their ministers—We, therefore, cannot know what has been done. But I hardly think it possible that such instructions never have been given. They are natural, and were for Mr. McLane alone, and never shown by him to any person. But, I link from Mr. Hartley's language to our commissioners at Paris, when treating for a peace, that he must have had some such instructions, as he would not otherwise have talked of change of ministry, as holding out a fairer prospect, of ultimately leading to a general peace.

Mr. Van Buren has also been charged, with being the father of what has been improperly called the "proscriptive system"—or in other words, "the removal system." "The removal from office." Where is the proof? None can be produced—all is surmise and conjecture. I act on no such ground. When an assertion such as this is made, I want proof of its being well founded. But I absolutely deny the charge, and will offer unquestionable proof of the correctness of the denial.—The charge cannot possibly be substantiated, unless the senator who made it, can satisfy the senate, that Mr. Van Buren could, at Albany and Washington, at one and the same time. I will simply state the facts. Mr. Van Buren was at Albany acting as governor of the state of New York when the extra session of the senate met on the 4th March, 1829. I think he, [Mr. V. B.] was nominated on the 5th of March. At this extra session of the senate, seventy five officers were appointed, principally to fill vacancies occasioned by removals from office. Of these officers Mr. Van Buren could know nothing. The advisers to this congress, if removed now, were the members of the cabinet then present. Mr. Van Buren could know but few of those removed, or of those appointed. I will remember that I saw Mr. Van Buren in Baltimore after my return home, and therefore conclude that it must have been at least a month between the time of his appointment, and his arrival at Washington. I think, Mr. President, that I have proved that Mr. Van Buren could not have been the father of what

is improperly called the "proscriptive system;"—a system adopted by some of the states of this union both before, and after this administration came into office. For myself, I am opposed to removal from office for political reasons. But, sir, I would remove any officer, who made use of his office to force inferiors to act contrary to their wishes. I would remove every postmaster, who had been known to frank the "coffin handbills," or any other abusive papers of either of the candidates. Few removals of consequence have been made in Maryland. I think four in Baltimore, where the most important offices are.—One of these removals I regretted. It proceeded from the best feelings of the Senate.

Before I finish my remarks, Mr. President, I will notice what passed between the then secretary of state, (Mr. Clay), and myself, in relation to the act of parliament of July 1825. I first saw a copy of that act in Baltimore, and mentioned it to the secretary. He said that he had the act in his possession, and handed it to me. I asked him, whether the terms proposed were satisfactory. He said that he considered they were all we could ask. I then observed why not issue an proclamation, under our act, and thus open the trade? He replied, that he would prefer negotiation. I asked, why? for what will you negotiate? We have nothing to do, but to give our assent, and the trade is at once opened. I had the act printed, and handed a copy to Mr. Adams, who had never seen it before. He agreed that the terms were satisfactory. I then pressed him to issue his proclamation, and told him that if he did not, I should be compelled to issue one. He remarked, that he wished it to go, and that he would not only sign it, but sign it with pleasure. I did prepare a bill under the order of the senate, and, doubtful whether it might be correctly drawn, so as to effect my object, I sent it to the then secretary of state, (Mr. Clay), with a request that he would correct it if necessary. He replied in writing to this effect: "that the bill was drafted to meet my object, that it was so doubtful whether it would be correct, that he wished it to go, and that he would not only sign it, but sign it with pleasure." The bill was opposed by Mr. Lloyd, who, it was believed, had the confidence of the executive. It failed to become a law, I believe from want of time to act upon it. The senator, (Mr. Clay), has said, Mr. Canning had observed, that even if the bill had passed, it could not have been admitted as satisfactory. This observation may have arisen from its being imperfectly drawn, or from some other cause. Perhaps the British minister expected that the president would have opened our ports by proclamation, as he, (Mr. Canning), knew, that the president possessed full power to do so, under our acts of 1823 and 1824, both of which we know, had been drafted by Mr. Adams when secretary of state.

I have deemed it necessary, Mr. President, to make these remarks, in relation to the colonial trade as a reply to the observations on this subject which have fallen from the senator from Kentucky, (Mr. Clay).

(NOTE.)

The following letter, and accompanying extract from another letter, on the same subject, have been received from the secretary of state:

Department of state, Washington, January 30th, 1832.
Samuel Smith, esq. *secretary of the United States.*

First, I have the honor to state, in answer to your inquiry of yesterday, that the returns containing the instructions of the department to Mr. Christopher Hughes, when formerly charged d'affaires of the United States in Sweden, have been carefully examined, and that all which is found in them, in relation to the then claims of our citizens upon the government of that country, is given in the subjoined extract of a letter from Mr. Adams to him, dated 17th June, 1819. I am, sir, very respectfully, your obedient servant,
(Signed) EDWARD LIVINGSTON.

Extract of a letter from Mr. Adams, secretary of state, to Mr. Hughes, chargé d'affaires of the United States at Stockholm:—

Department of state, 17th June, 1819.
"The president has been absent from the seat of government, on a tour to the south and west, since the 30th March. His return to this place, in the course of two or three weeks is expected. Since his departure Mr. Russell's latest correspondence with the Swedish government, on the subject of the Stralund claims, has been received, as well as that which followed Mr. Russell's taking leave of the court. It is painful to perceive the perseverance of the Swedish government, in withholding the indemnity, so justly and indisputably due to our fellow citizens, who suffered by those seizures, for which not even a plausible pretext is alleged. It is still more painful to find this denial of justice, accompanied by insinuations, neither candid nor friendly, and by allegations, utterly destitute of foundation. Earnestly desirous of maintaining, with Sweden, the most friendly and harmonious relations, I shall reserve, until after the president's return all further remarks on the subject."

Remarks of Mr. Poindexter.

Mr. Poindexter* rose, and said, that as absence of several weeks from the senate, occasioned by indisposition, had, as he was informed, been the cause of some delay in the final action of the senate, on this nomination.

He regretted the circumstance, and even now that he was enabled to resume the discharge of his duties, he could but ill require the kind indulgence of the senate, in postponing the question on

*Mr. Poindexter desires us to state, that some of the remarks contained in his speech, which we this day publish, were noted by him before he delivered his sentiments on the nomination of Mr. Van Buren, in the senate, but that the difficulty of standing on his feet, for any great length of time, since his recent fall from his carriage, prevented his going minutely through all the notes he had taken; but that the additions do not materially vary the substance of his remarks, on that occasion. [Not. Int.]

his account, by any efforts of his, to investigate the claims of the nominee to public confidence, inasmuch as the delicate state of his health would not permit him to enter at large into the various interesting topics which had been adverted to in the remarks of the honorable senators who had preceded him in the debate.

Sir, said Mr. Poindexter, I have risen to perform an unpleasant but an imperative duty, from which I cannot withdraw without subjecting my motives to misconception, or misrepresentation, in relation to my vote on the question now before the senate.—Having nothing to gain by the rejection of this nomination, and nothing to lose, should it be confirmed, I can feel, Mr. President, no other solicitude on the subject, than that which arises from a sense of the solemn duty which I owe to my country, and an ardent desire to preserve the honor and dignity of the American people, free from the stain of that moral turpitude and vicious intrigues, which cover the corrupt governments of Europe with infamy and disgrace. For this purpose, and for no other purpose whatever, either of a personal or political character, I have endeavored to inform myself, by all the means within my knowledge of the facts and circumstances touching the merits of the individual whose nomination is now under consideration. I have adopted this course the more readily, because it was, I understand, on a previous day, recommended by honorable senators, in favor of the nominee, in preference to a full and formal investigation by a committee of the senate, which had been proposed by an honorable senator from Maine, (Mr. Holmes). Mr. Van Buren has been long in the public eye, his high and important political position, and the influence of his public conduct may be traced in every department of the government. Whether, therefore, his previous acts entitle him to the confidence of the whole and of the nation, is a question which each gentleman must determine for himself, and I claim for myself the humble privilege of presenting a concise summary of the grounds on which I hope to justify my vote. The evidence to which I allude, refers, and which has operated on my judgment in this case, is drawn from the history of the passing events of the day, and the statements of persons of high standing and respectability, whose integrity and veracity no one would presume to doubt, when their names shall be disclosed.

Sir, it is known to all who have looked into the political movements of the various parties, which have contended for power within the last year, that Mr. Van Buren, who has been long listed as the friend of general Jackson, long after the commencement of the administration of president Adams. Prior to that event, he had lent his influence to a candidate between whom and general Jackson there existed the most deadly hostility. The administration of Mr. Adams had no charms for Mr. Van Buren, and after due deliberation, and a "judicious" estimate of the probable results, he became the advocate of general Jackson for the presidency, in opposition to the incumbent whose prospects of re-election were overcast with doubt and uncertainty, and from whom he could expect no favors, either for himself or his friends. The capital which he brought into the stock of political influence then operating on the presidential election, was supposed to give him a claim to the highest distinction, in the event of the successful termination of the struggle. Accordingly, he was placed by general Jackson at the head of his constitutional advisers, preferring him to other distinguished gentlemen, whose support was of longer duration, and, to say the least, equally efficient, and whose talents would bear an advantageous comparison with the most enlightened statesman in the world. Thus promoted and flattered, wielding, as he did, the executive arm of the nation, permit me to ask what was the conduct of Mr. Van Buren, then secretary of the department of state? Was the honor and welfare of the country the purity of its character, whose prospects lay at his heart? Was his mind free from the bias of undisciplined ambition; or was he exclusively devoted to his own elevation, regardless of the means, or of the honor of his venerable chief, and of the integrity of the party which brought him into power? I cannot answer these grave questions by any thing which falls within the scope of my own personal knowledge; but if there be truth in facts which have been detailed me by men of the first rank in the nation, and which I am bound to believe, until contradicted by evidence still more imposing, his whole course was marked by a systematic tissue of dark and studied intrigue, which, in its consequences, swept into chaos the elements of that patriotic band who fought the battle, and gained the splendid victory in 1828, which placed on the brow of the hero of New Orleans the civic wreath of this grateful country. Discarding all personal considerations, for I have neither revenge nor political aspirations, graciously, and if I had, they would not enter these walls, to influence my deliberations in matters of national concern, I ask only the rights of truth, to guide me to a decision which shall accord with strict and impartial justice, and secure to me the approbation of an enlightened people and what is still more precious the smiles of an approving conscience.

If, then, the friends of the nominee deem the information which I have received, and on which, for the present, I must rely, inaccurate or unsuited to satisfactory explanation, I invite them, I urge them, in justice to their friend, to rescue him from every shade of suspicion which may be cast on him, by the appointment of a committee, to be chosen by this honorable body, who shall be charged with the duty of collecting all the testimony which can be adduced, either for or against the nominee, and making a faithful report of it to the Senate; and if the result should be such as to satisfy my mind that the nominee is innocent of the unworthy conduct which has been ascribed to him, my vote will be given in favor of his nomination, with more real pleasure than I can feel in giving to the dictators of the day, the support I am about to give. To such a committee I am authorized to furnish the names of several gentlemen, high in the confidence of the south.

try, who are ready to testify, on oath if required, to all the facts which they have authorized me to communicate to the senate on the present occasion, in a much more enlarged and satisfactory manner, than it is in my power to give to them. But I must be permitted to remark, that if this invitation is declined by the friends of Mr. Van Buren, my vote must be recorded against his nomination, confiding, as I do, in the honorable sources from which my information is derived. I forbear to dwell on the novel and extraordinary character of the instructions given by Mr. Van Buren to Mr. McLane, our late minister to London, on the subject of opening the West India trade. The views presented of the nature and character of these instructions, by other gentlemen, leave me nothing to add but the expression of my deep regret, that under any circumstances, the secretary of state acting, either under the influence of his own passions or prejudices, or by the instructions of the president, should deem it compatible with the dignity of his station, or the elevated character of his country, to approach the throne of a foreign monarch on the style of supplication, asking favors on the humiliating assurance, that the party to which he belonged, exercising the powers of government, were better entitled to his tender mercies, than their predecessors in office, who, it seems had been guilty of the crime of demanding, under color of right from his majesty, concessions in favor of American commerce, which a more enlightened administration recently brought into power by an overwhelming majority of the people were ready to abandon as unfounded "pretensions." Such an appeal was unnecessary, and unworthy of a statesman representing the interests and honor of a great and powerful nation in its intercourse with foreign powers, and merits the reproach of this honorable body as an integral part of the executive.

But, Mr. President, what is the history of the conduct of Mr. Van Buren in reference to his intercourse with the chief magistrate, and those associated with him in the administration at the seat of the national government? He entered the councils of president Jackson with sullen reserve on his brow, under which he concealed all his opinions on the great questions which agitated the nation. He seized on circumstances which pre-existed his induction into office, novel in their character in this country, but familiar at the court of Louis the Fifteenth, in France, and of Charles the seventh of England, by means of which he contrived to "ride upon the whirlwind, and direct the storm," and to render the credulous and confiding chief, whose weakness he flattered, and whose prejudices he nourished, subservient to all his purposes, personal and political. His plans of operation were shrouded in darkness and mystery, and executed by the arm of power; nerve by the recent development of public opinion, for the accomplishment of his ulterior views—which knew no limit short of controlling and directing the destinies of the nation. The established practice of every preceding administration, to hold cabinet councils, was abolished, and the secret machinery of political intrigue, was put into successful operation, worked by the skill of the master spirit behind the curtain. No board of consultation around the green cloth was held, where each member was required to unfold his sentiments freely and frankly, of men and measures connected with national policy.

No principles were promulgated as the standard by which the people might test the claims of the administration to their confidence and support. Every thing was involved in doubt and uncertainty, in order to catch the breeze of popular impulse in whatever direction it might set, and to conform to its overwhelming influence. The southern politician who complained of oppression, was soothed, flattered, or threatened according to the thermometer which regulated the political atmosphere around the walls of the palace. The disappointed and office hunters received assurances to satisfy their utmost wishes and expectations, and the doctrines of the "American System" were adopted and repudiated according to calculations founded on a well arranged scale of political profit and loss.

An effort to restore the ancient usage of cabinet councils, made by a few of the most devoted friends of gen. Jackson, was repelled with indignation, and the friendly intention falsely ascribed to personal hostility, to a particular member of his cabinet. These gentlemen have ever since been looked on with distrust and suspicion by the president.

Thus protected from all interference on the part of his associates in power, and from public animadversion, Mr. Van Buren shaped his course to suit the crisis, keeping steadily in view his ultimate elevation to the first office in the gift of a free people. Possessed, as he was, of the confidence and confidence of gen. Jackson, he very soon found free access to his ears, and by the abuse of his advances, led him into excesses and errors, fatal to the tranquillity of the country, without affording the slightest evidence that he in any manner, participated in producing the results which he anxiously desired to accomplish. The proscriptive policy, pushed as it was, to extremities which the public interest did not seem to require, and late in the practice of any other chief magistrate, has been universally attributed to his advice and influence of Mr. Van Buren. This system, combined with the whole patronage of government, was, as far as practicable, placed at his discretion, to smooth the way to the ulterior object of his ambition. He made himself almost the sole advice of the president, during the first two years of his administration, and every one who stood in his way was made to feel the power of executive denunciation. To this cause may be attributed this unprovoked rupture between the first and second officers of the government; the prostration of those noble and high-minded friends to whose unwavering exertions, and lofty eloquence, gen. Jackson must feel himself indebted for his success in the late contest for the presidency, and finally, the dissolution of the cabinet, and the consequent nomination of Mr. Van Buren as minister to the court of London.

I have, Mr. President, been put in possession of a communication tracing, with great minuteness, and I have no doubt, accurately, the means resorted to by Mr. Van Buren, to produce the rupture between gen. Jackson and those honorable men who had accepted his invitation to become members of his political family. I forbear to read this paper to the senate, because of the peculiar matters of which it treats, but I hold myself ready to deliver it, with the name of the author, to any committee of the senate, which may be appointed to embody the evidence on this subject. I have also received, from a gentleman now in this city, a statement of a conversation held with the late secretary of state, after he had surrendered the seals of office, which I beg leave to lay on the table, as the facts it details are intimately connected with those transactions which have occupied so large a share of the public attention, and which I regret to say have never been explained in a manner to satisfy the moral feelings of the country. Of the writer of this communication, I have very little personal knowledge; but he has the most respectable testimonials of his good character and conduct; and I am informed, has been favorably known as the editor of a Journal in New York, friendly to the present administration of the government. For myself, I do not doubt the verity of his statement, and I submit it, without comment to those who desire information on the matters to which it relates.

Mr. President, in addition to the unbroken current of testimony to which I have already adverted, showing most clearly the foul means employed by the late secretary of state, to appropriate the name and well earned fame of gen. Jackson to the advancement of his own ambitious projects, and to overthrow all who obstructed his path to political power, I feel it to be my duty to give to the senate the substance of a conversation which took place between the president and a member of his late cabinet simultaneously with its dissolution. Sir, the distinguished gentleman who made the statement of this interview is too far above suspicion to need from me the eulogy which his character, public and private, so justly merits. His ejection from a station which he did not seek, the duties of which he discharged with so much credit to himself, and advantage to his country, is a melancholy evidence of the frailty of political friendships, when assailed by the ruthless intrigues of an ambitious aspirant. But sir, the frowns of a delinquent friend, clothed with the paternity of power, are impatient and harmless, when the friends of justice are provoked by the malignant radiance of a villain, and the shield of the invulnerable.

The president invited this gentleman to a private audience, for the purpose of making known to him the new arrangements on which he had determined. He commenced with an air of diplomatic caution, and studied precision. "Sir, I submit to you two letters, which I have received from the secretary of state, and the secretary of war, resigning their respective offices, and ask for them your serious consideration." "Which?" replied the president, "I am a plain man, and you know I am." "Our intercourse has been of long duration, and you know that diplomacy is no part of my character or yours. Be so good, therefore, as to tell me frankly, what you intend, and what you desire of me." "Then, sir, I will inform you that I mean to reorganize my cabinet." "Very well, sir, I hope you will profit by the change. I have not been your friend for the sake of office, and I wish only to be furnished with your candid remarks on the conduct of your cabinet to you." "Sir," said the president, "I have no fault to find with you." "With this answer," said the secretary, "I am contented; but allow me to enquire who is to be your secretary of state." "Mr. Livingston," was the reply. "Who is to take the treasury department?" "Mr. McLane, now minister in England." "Who will occupy the navy department?" "Mr. Woodbury." And pray, sir, who is to replace Mr. McLane in England?" "Mr. Van Buren," was the answer.

The inference, which is inseparable from these disclosures, must be obvious to every man whose mind is in search of truth, and whose judgment is free from the "malign influence" of prejudice.

The finger of a disciplined intriguer is visible in all the various efforts made to dismiss particular members of the cabinet, from an early period after the inauguration of Gen. Jackson, until it was effected in 1831. The object cannot be mistaken; and at that day the managers scarcely attempt to conceal their fixed purpose of designating Mr. Van Buren as the successor of the present chief magistrate "volens volens," as they are pleased to express it. Sir, on what data can we reconcile the prompt and unhesitating answer given by the president to each inquiry relating to the individuals who were to compose the new cabinet, other than a pre-concerted and explicit arrangement, formed on mature deliberation, and full consultation with those whose political opinions he was accustomed to take on all subjects of great and absorbing interest to the country?

Is not the fact as distinctly known to every one acquainted with the political movements at the seat of the national government, as any on record, that for more than a year preceding the rupture of the late cabinet, no consultations were held, and but a formal intercourse kept up between the president and three of his constitutional advisers? It cannot with propriety be said, as it is often said, that the secretary of state had so managed as to occupy the first place in the confidence and affections of the chief magistrate. The only rational conclusion, therefore, to which I can bring my mind, after a careful and impartial examination of this whole subject, is, that the secretary of state, prior to his own voluntary resignation, had not only ascertained that a general sweep was to be made of all those whose influence he dreaded, and who could not be induced "to bend the knee to Baa!" but had organized a new cabinet, and "though last not least," had taken especial care to open an avenue, through which he might with safety retreat, and plant himself in a station still more commanding in the public eye, and better calculated to accelerate the consummation of his ulterior purposes. "Who is to replace Mr. Mc-

Lane in England?" "Mr. Van Buren." Sir, the time at which this declaration was made is very remarkable; it preceded the publication of the modest diplomatic letter of resignation, in which the secretary of state attempts to mystify the causes which had operated on his mind, in surrendering the high trust to which he had been called by the president. He artfully seeks in that anomalous communication, to excite the sympathies of the American people by pretended self-torture, at the shrine of false, disinterested patriotism. He retired to the shades of private life, to disengage the administration of president Jackson, and to restore harmony in his council. No sinister motives lingered in the mind of the unbought patriot—no mission to London in the vista—but the noble sacrifice he magnanimously offered up on the altar of public good, with the reservation of such future rewards as a grateful people might bestow, on one whose merits could only be excelled by the purity of his intentions! Sir, would it be credited by a virtuous and enlightened people, that at the very moment when these high-souled sentiments and patriotic professions were unobtrusively thrown before the world, an individual who appropriated them to himself, held the guarantee, that in lieu of the office which he resigned, he should forthwith be created envoy extraordinary and minister plenipotentiary to the court of St. James! And yet the fact is established, by the conversation I have quoted, and strongly corroborated by the letter of the president, in which he reluctantly accepts the resignation.

Mr. President, I can view the conduct of this gentleman, and then the result of a systematic course of political gambling, tight, intrigue, originating in personal ambition, and prosecuted with unrelenting ostracism and proscription, on every high minded statesman in the nation who refused to subscribe to the articles of faith dictated by this nominee, and prescribed as a test by which the patronage of the government should be dispensed, as a man who has widely extended country. The succession to the presidential chair must be secured to this court-juggler, and the means to accomplish this end, were placed at his disposal. Under these impressions, I should be guilty of a gross dereliction of duty to the president, and my own conscience, by advising and consenting to this nomination. I beg to be informed of the necessity of so much haste in despatching a minister to London. No negotiations were pending which required the presence of a minister with full powers, the result of the European war, represented here by a charge d'affaires. We had a diplomatic agent there of equal grade; and surely the relations between the two nations might have been suffered to remain in this equitable condition until the annual meeting of congress, when the advice and consent of the senate could have been asked, before the public chest had been opened for the outfit and salary of a minister.

The circumstances connected with this unnecessary precipitancy renders it obnoxious to the strongest objections now warranted the conclusion that it was designed to operate on the action of the senate, in their deliberations on this nomination. I cannot subject my opinions to the control of a premature movement on the part of the executive. Sir, I am aware, that for this independent exercise of my best judgment, I shall be denounced by the press, as the partisan of a competitor for the presidential chair. I spurn the imputation. At my time of life, I have nothing to hope from the smiles, still less to fear, from the frowns of any man in power. I honor the man whose heart is pure; whose actions through life exhibit lucid proof that he is honest in the cause of human liberty; but when I am invoked to give my sanction to dark intrigue, political management and corruption, at the hazard of incurring the disphasure of "those who feel power and forget right," I will fearlessly and faithfully discharge the trust reposed in me by my country, by a firm vindication of the moral feeling of the people who compose the young and vigorous republic. I will reprove and correct the influence of vice, by inflicting merited chastisement on all who perpetrate it.

The following is the letter referred to by Mr. P.

Washington City, Jan. 24, 1852.

Sir: I have the honor to acknowledge the receipt of your note, bearing date this morning. It was this morn'g handed me, and, although it is by no means desirable to stand in the attitude of a public accuser of any man holding a high and responsible station in the government, yet, inasmuch as I consider the subject matter of your inquiry as being one of no small degree of importance, I do not feel myself at liberty to shrink from the discharge of my duty, or withhold from an honorable senator, approaching me in his senatorial capacity, any information which I may be in possession of, touching the subject of his enquiry. Nevertheless, I regret that I am thus called upon to repeat any remarks which may have been inadvertently made to a friend.

Soon after the dissolution of general Jackson's first cabinet, while the ex-secretary of state, Mr. Van Buren, was in New York, waiting the arrival of Mr. Louis McLane from the court of St. James, I saw him. Being then the editor of a paper supporting the policy of the administration, I felt, as was natural, some interest in the events which he was about to leave, and which were yet to transpire. I asked Mr. Van Buren who was to take the place of Mr. McLane at the court of St. James? He replied that he had the offer of the mission, but that he was yet undecided as to the propriety of accepting it. He said his friends were of different opinions as to the policy of leaving the country at that time, there being some arrangements to make in the republican party for future operations. He observed that he was anxious to have an interview with Mr. McLane before leaving, if the subject could elude to go. On being interrogated by me as to the real causes of the dissolution of the cabinet, whether it was, as had been alleged by some of the editors, caused by Mrs. Eaton, or by a mutual dissension among the heads of departments? He answered, that Mrs. Eaton had no agency in the matter, but that it was caused more by the conduct of Mr. Calhoun and Mr. Ingham, who desired the retirement of gen. Jackson from office at the expiration of the first four years of his term of service, and who had endeavored

ed to consummate their designs by traducing the character of a chaste and virtuous woman. On remarking to Mr. Van Buren that I thought he had managed well to pass unscathed through the fiery ordeal, he laughingly replied, "Yes, I had seen for some two or three months the approach of trouble, and that a dissolution of the cabinet must ensue—the materials of which it was composed were too discordant to continue together in harmony—and, to save myself I thought it better to retire in time, knowing that it lied the way, the rest must follow."

There, I believe, sir, if not the very expressions, are at least the substance of Mr. Van Buren's remarks to me. I must be permitted again to express my regret at being thus called on. Having been an original supporter of the pretensions of general Jackson to the presidency, and a faithful approver of those of his acts which I deemed correct, and being now in retirement, I most sincerely deplore the occurrence of any circumstance which could draw me before the public in an attitude that may appear so unfriendly to the administration. But, however unpleasant the task, when high and responsible men call on me, and duty demands a compliance with their call, mine is not the province to refuse.

I have the honor to be, most respectfully, your obedient servant,
Hon. G. Poinsett.

SAMUEL E. CLEMENT.

Remarks of Mr. Forayth.

[Mr. Forayth makes no apology for the rough sketch he presents of the remarks made by him in the secret sessions of the senate, on the nomination of Mr. Van Buren. The speeches against a nomination having been, for the first time in the history of this government, thrown upon the people, it is due to the person assailed, that what was suggested on the other side should be known. Mr. Forayth is well aware that, in executing his part of this duty, he has done justice neither to the subject nor to himself.]

I regret Mr. President, that the senator from Mississippi, [Mr. Poinsett], has been so long absent from his seat, not only because he has been suffering pain, but because that he been here, he could have escaped the commission of numerous errors into which he has been led. The friends of Mr. Van Buren have not obstructed inquiry into his conduct; they have challenged investigation, offered it in every and any form consistent with the obligations of the senate to its own character. The senator from Maine, [Mr. Holmes], shrunk from his own resolution. It was laid aside by the votes of those opposed, contrary to the votes and wishes of the friends of those friendly to the nomination. That senator was distinctly invited by one of the senators of New York, [Mr. Marcy], to specify any act dishonorable to the character of Mr. Van Buren, and a pledge given that the inquiry into it should be made in the simplest manner by a committee having all the powers necessary to the establishment of truth. The senator from Maine was distinctly told by the senator from S. Carolina, [Mr. Hayne], on what terms he could command his vote. He was told to cover the ground indicated, by proof, and he would join in the condemnation of the choice of the president. The senator from Maine deliberated on this offer, and, after deliberation, abandoned his resolution, leaving all to grapple their way to a conclusion, as accident or prejudice might direct them. A promise was made, that he should have a committee if he would venture upon it, and the offer was deliberately and most unequivocally declined. Yet, after all this, at this eleventh hour, the senator from Mississippi says, if the friends of Mr. Van Buren will solicit a committee, he will give us what he has collected, while confined to his sick chamber, and on which his own opinion is formed, and if the committee is not raised, he will, with this matter in his pocket, vote against the nomination, in order to preserve the morality of the nation, endangered by the bestowal of a new office on a gambling politician.

As the friend, personal and political, of Mr. Van Buren, I reject the liberal offer of the senator, in defiance of his threatened outrage upon the nomination.—Let him unite with those who, like him, are so anxious to preserve the morality of the country by rejecting a man whose most odious crime is his rising popularity and transcendent ability. The friends of Mr. Van Buren will not degrade him by asking a committee, to free him from the suspicions engendered in the senator's mind, in his search after correct information, from sources within his reach. His character wants no such justification. Does the gentleman wish to justify his vote? Let him propose a committee; he shall have our concurrence. Does he desire to convince the senate? Let him produce the private source. Information which, I venture to say, like the only one he speaks of openly,

is worthless in the eye of any man who is not embittered by prejudice that he can not see truth. This letter, by a former partizan, a paltry editor of a paltry newspaper, and to prove what? that Mr. Van Buren said that the late cabinet was dissolved by the conspiracy of the vice president, to drive him. Eaton from the cabinet, and that he withdrew to escape the consequences of the dissolution. Sir, Mr. Van Buren holds no such conversations with persons who were once his partizans, and now his enemies.

But supposing he had declared, or does entertain, the opinion imputed to him. Is it a crime which disqualifies him for a high office, that he believes the charge made and sought to be established by the late secretary of war? If such be the senator's opinion, can he tell us how far the exclusion extends? The senator's letter story is contradicted by his previously expressed opinion. What, sir, the most artful man in the world, proclaim to a paltry editor that he acted in the manner indicated, to escape the storm consequent on the dissolution of the cabinet? If it had been true—if such had been his motive, he would have sought to conceal it from himself. No degree of confidential intimacy could have tempted an artful intriguer to such a disclosure. The story if true, proves a man, whose extraordinary prudence, under all circumstances, through a long life in the stormy politics of a vexed and turbulent state, has gained him the confidence of his friends, and called down upon him the charge of consummate artifice from his enemies, to be a silly driveller—a simpleton, opening his hudget of petty motives to one whose trade was, to thrive by making himself important by confidential and oracular disclosures in his unknown journal.

Mr. Van Buren stands in a strange condition before us; from the beginning of this administration, before he came to the post assigned to him, until the present hour, he is held accountable by a certain description of political men in this country for all the evil that has been done and all the good that has been done.

Now, sir,—if he is accountable for every thing, if his hand is to be traced every where, let him have credit for the good that has, and the evil that has not, been done. Balance the account of the admitted good and evil reported, and the result will fill the hearts of his enemies with the bitterest disappointment. But, sir, this is not the justice intended for him. He is responsible for all that is complained of. Let us see the senator from Mississippi (Mr. Poindexter's) catalogue. There were no cabinet councils—Did the country suffer from this failure to follow the example of late administrations, from this adherence to the example of gen. Washington. But there was one cabinet council called to set on a lady's reputation. Indeed; and this Mr. Van Buren is also answerable for; and is it true, sir, that the honorable members of the late cabinet, who remained so tranquilly at their posts enjoying all their emoluments and honors with becoming gratification, suffered themselves to be deprived of their accustomed rights of a seat and voice at the council board of deliberations on great matters of vital interest to the public, and yet obeyed the beck and call of Mr. Van Buren, to set upon a lady's reputation? Of what stuff were they made, that they did not distinctly ascertain if this restriction of claimed right, and this insulting call upon them to step out of their appropriate spheres, was the work of Mr. Van Buren or the act of the president. If the first, why did they not demand his dismission, and, if refused, indignantly throw their commissions in the teeth of the chief magistrate. The omitted cabinet councils, and the single call, were no such dreadful offences until obliged to follow Mr. Van Buren's example and resign. The history of last year establishes the wisdom of the president in calling no cabinet council to deliberate, as there could have been no harmony in their consultations, and on the single question said to have been submitted the ex-cabinet have shown themselves incompetent to decide. He is not competent to decide on a lady's reputation, who throws out of view, on the question of how she should be treated, her guilt or innocence. I will not condescend further to refer to the trash with which the public press has been loaded and polluted for months, and unless the report from Mississippi has better evidence than the public has yet seen, the hope of impeaching Mr. Van

Buren in the disturbances that preceded the dissolution of the cabinet, is forlorn. Let us see the next crime in the catalogue of the senator from Mississippi (Mr. Poindexter). Mr. Van Buren intrigued the dissolution of the late cabinet, taking care previously to secure a safe and prominent retreat in the mission to England. It is known to every well informed man in this district that Mr. Van Buren, by his admirable temper, his conciliating manners and unwearied exertions, kept the cabinet together long after its discordant materials were so well ascertained that its dissolution sooner or later was a matter of common speculation. Sir, nobody doubted that the parties could not get on together, and the only surprise was, that the president did not proceed to restore harmony by the removal of those whose disagreements produced the discord. But Mr. Van Buren had the unparalleled effrontery to resign on motives of delicacy and disinterestedness, and as this mode of conduct was so unusual it has excited a vast deal of surmise and wonder. The senator from Mississippi (Mr. P.) has however satisfactorily to himself solved the mystery. Mr. Van Buren arranged himself into a prominent place before he resigned, and a new cabinet to suit his ambitious views. Now, sir, as to the proof of this pre-concerted arrangement for his accommodation and elevation.—The president told somebody who was a late secretary, that Mr. Van Buren was to go to England, and named to him the secretaries, who were to come in; but this was after Mr. Van Buren had resigned. In the interview, it is acknowledged that Mr. Van Buren's letter of resignation was handed to this volunteer repeater of confidential conversation with the chief magistrate.* But

*Since the preceding was in type, the following has been received, and we cannot well do otherwise than publish it,—that a fair view of the case may be presented, without comment.

From the *U. States' Telegraph* of February 9.

The subjoined are copies of notes which have passed between governors Branch and Forsyth, through our hands, as the friends of those gentlemen.

SAMUEL P. CARSON,

WM. S. ARCHER.

Washington City, Feb. 8th, 1832.

Sir: I have read the printed report of your speech, prepared by you for the press, purporting to be the remarks which you made in the senate in secret session, on the nomination of Martin Van Buren as envoy extraordinary and minister plenipotentiary to the court of St. James. The notice which you take of a conversation referred to in the debate by Mr. Poindexter, senator from Mississippi, requires that I should ask of you to state to me, explicitly, whether you did or did not know, or had reason to believe, at the time you wrote out your speech for publication, that I was the "somebody, one of the late secretaries" to whom you refer as the volunteer repeater of confidential conversations with the chief magistrate? Your reply to this communication will regulate my future action on this subject. I am, respectfully, yours, &c.

JOHN BRANCH.

Hon. John Forsyth.

Washington Feb. 8th, 1832.

Dear Sir: Although perfectly satisfied with your verbal declaration, on reflection since we separated this morning, I think it indispensable that the concluding paragraph in the enclosed letter should be omitted, or that your remarks to me on the subject of it should be in writing before an answer to it is transmitted to you. I return it to you to adopt either course that may be most agreeable to you. I am, dear sir, very sincerely,

JOHN FORSYTH.

Hon. Mr. Carson.

House of Representatives, Feb. 6th, 1832.

Dear Sir: If the simple interrogatory contained in the letter of governor Branch, would be more acceptable to you without the paragraph with which it concludes, I am authorized as his friend, to state to you that that paragraph may be considered as stricken from his note, not deeming it essential to the substance of his inquiry.

Very respectfully,

SAML. P. CARSON.

Hon. John Forsyth.

P. S.—Your note was not handed me till this day, since the meeting of the House.

Washington, Feb. 6, 1832.

Sir: I have received your note by col. Carson. The remarks of mine, to which you point my attention, were made in answer to Mr. Poindexter, and intended to apply to the person referred to by him, without knowledge of that person, on my part, then, or at the time my remarks were prepared for the press. I am, very respectfully, yours, &c.

JOHN FORSYTH.

Hon. Mr. Branch.

Washington, Feb. 7, 1832.

Sir: In your answer to my note by col. Carson, you state that you did not know that I was the person referred to by governor Poindexter as having held a conversation with the president. It

the senator says it was before the letter was published—thence he concludes Mr. Van Buren had made a cat's paw of the president, for the promotion of his own views: a most logical inference, truly. And this new edict arranged to further Mr. Van Buren's unholy ambition. Is there man, woman, or child in the country, who does not know and feel that the change has been beneficial to the public, that there is now more strength, more virtue, and more harmony than there was before? Is there any man who will hazard his reputation, by asserting that the present secretaries are capable of being made the instruments of any man's ambition, or so subject to the undue bias of individual influence, as the late? Partizans are not substituted for pure, disinterested patriots; and let me say, sir, that more partizans have gone out than have come in. But this mission to England was not sought by Mr. Van Buren: his friends know that it was pressed on him by the president, and that it was reluctantly accepted at the earnest solicitations of friends who were satisfied it would promote his own reputation, and redound to the honor and welfare of the nation. I will not follow, further, the senator's lead. Long known to me as a politician and as a man, acting together in the hour of political adversity, when we had lost all but our honor—a witness of his movements when elevated to power, and in the possession of the confidence of the chief magistrate, and of the great majority of the people, I have never witnessed aught in Mr. Van Buren which requires concealment, isolation or coloring—never any thing to lessen his character as a patriot and as a man—noting which he might not desire to see exposed to the scrutiny of every member of this body, with the calm confidence of unsullied integrity. He is called an artful man—a giant of artifice—a wily magician. From whom does he receive these opprobrious names? From open enemies and pretended friends. In the midst of all the charges that have been brought against him, in shapes more varying than those of Proteus, and thick as the autumnal leaves that strew the vale of Valambrosa, where is the false friend or malignant enemy that has fixed upon him one *dishonorable* or degrading act? If innocent of artifice, if governed by a high sense of honor, and regulating his conduct by elevated principles, this is not wonderful; but, if the result of skill, of the *ars celare artem*, he must be more cunning than the devil himself, to have thus avoided the snares of enemies and the treachery of pretended friends.

It is not possible, sir, that he should have escaped, had he been otherwise than pure. Those, ignorant of his unrivalled knowledge of human character, his power of penetrating into the designs, and defeating the purposes of his adversaries, seeing his rapid advance to public honors, and popular confidence, impute to art what is a natural result of those simple causes. Extraordinary talent, untiring industry, incessant vigilance, the happiest temper which success cannot corrupt nor disappointment sour; these are the sources of his unexampled success,—the magic arts—the artifices of intrigue, to which only he has resorted in his eventful life. Those who envy his success, may learn wisdom from his example.

Having disposed of the catalogue of the senator from Mississippi, let me advert to the grounds occupied by a

being now made known to you that I was the person, I wish to inquire whether you feel yourself at liberty to disavow the application of those remarks to me. I am, respectfully, &c.

JOHN BRANCH.

Hon. John Forsyth

— Washington, Feb. 7th, 1832.

Sir: Your note of this morning informs me that you were the person referred to by Mr. Poinexter in the observations alluded to in our former notes, and inquires whether I feel at liberty to disclaim the application to you of my remarks in reply.

Having submitted the subject to some of my friends, who unite in thinking that the inference from the observations of Mr. Poinexter, under which my remarks were made, that the conversation referred to had been confidential, was not warranted, and satisfied that the view of the subject is correct, I have no hesitation in disclaiming the application to you of the charge imported by these remarks, of having repeated a confidential conversation. I am, respectfully, &c.

JOHN FORSYTH.

Hon. John Branch, house of representatives.

Mr. Carson respectfully requests those editors who have published the remarks of gov. Forsyth on Mr. Van Buren's nomination, to publish, also, this correspondence.

little army of objections on the other side of this chamber.—How many sacrifices of feeling to duty? are we not about to witness it all? The honorable senators, of Maryland, Connecticut, Delaware, Massachusetts, Ohio and Kentucky, are constrained by duty to vote against his nomination—and all, on public grounds—no private feelings; oh no! nothing like it: public duty against private feeling, is the order of the day. And what is the dreadful public crime he, Mr. Van Buren, has committed? Hear—sir, hear. He has degraded the country by giving instructions to the late minister to Great Britain, Mr. McLane, about the West India trade. What instructions? Can it be those on which the act of 1830 passed—those which have been among our printed documents for those twelve months, forming part of the president's communication to congress of Jan. 1831? Have those honorable gentlemen who are now so shocked at the public degradation, so eager to punish the author of this national disgrace, been sleeping at their posts?—no one to cry out to ring the alarm at the dangers to which the public honor was exposed?—no one to interfere to prevent the United States from being placed at the foot-stool of the British throne? Quietly witness the consummation of the crime, passing an act with the knowledge of these instructions, to secure the boon, which they now see was begged in the name of party from the British crown; we are now electrified by bursts of indignation at this first act of degradation in the history of American diplomacy. What a spectacle is here!—How long is it since he who was the instrument to bow us down before Great Britain, was unanimously confirmed to a post of honor and important trust? But the instrument by whom he was ordered to act, is to bear the punishment. The author of the instructions, he by whom they were given, is too high to be reached at present; the author of the crime, he who ordered it, escapes—he who commits it, by order, goes free; he who conveys the order, answers for both, and upon his head falls all the indignation of these incensed senators, acting upon public grounds, and reluctantly performing a PAINFUL—PAINFUL—duty!!!

Well, sir, to this degradation. It is found in the instructions of Mr. McLane; and to make out their case, the honorable senators from Massachusetts and Kentucky have given us a sketch of the history of the West India negotiation. Both brought down their narratives to the taunting reply of Mr. Canning to Mr. Gallatin, given during the late administration. From this point, both these honorable senators found it convenient to slide—no, sir, to leap over all intervening events to the instructions to Mr. McLane. With permission, I will fill up this little unimportant chasm. The terms of the British act of parliament not having been accepted by the United States, American vessels were excluded, by an order in council, from the British West India ports. Why this important interest was neglected, we have been just told by the senator from Kentucky, "the late administration were ignorant of the act of parliament until it was casually seen by them." "It was not officially communicated by the English government to our government." "Even when we were colonies, we were not bound by British acts of parliament, unless specially named in them." Indeed! is it possible that the late administration did not know an act of parliament affecting important interests? Where were all our accredited ministers and commercial agents in Great Britain, that this government was not informed of this measure, known to all Europe, and taken advantage of by most of the powers interested in it? But it was not officially communicated to us. Well, sir, was it officially communicated to any other government, interested in its contents as we were?

The British government, I apprehend, would have considered such a communication a gross reflection upon our accredited agents. It would have compelled them to say, in effect, we communicate to you an act, supposing your agents are too negligent of their duty to send it to you. What were our ministers and agents about; how were they employed, that they did not send to their government this important information?

But the last excuse is worse than all, even when colonies, we were not bound by acts of parliament in which we were not named specially.—What a discovery!

and it is concluded from this wise recollection, that we are not now bound to take notice of acts of parliament not specially and officially communicated to us. I imagine we are not bound by them, communicated to us or not, but we are bound to know all those touching our interests, and any administration is severely reprehensible for ignorance of them, and for failing to attend to those that bear injuriously upon the interests of the people. The act was, however, at last known, and when Mr. Gallatin presented himself to negotiate, with instructions to waive all claims that were formerly presented, and had prevented an arrangement, he was tauntingly told, you have lost your day in court—the privilege, the boon, offered, had not been secured by accepting the conditions; we have taken our course, negotiation is not our plan. Well, sir, what said the administration, of which the honorable senator, from Kentucky, formed a part. There was an act of congress, requiring, on the shutting of the British West India ports against us, an interdict by proclamation. Smarting under this taunting refusal to negotiate, what was done? the execution of an act of congress positively directing the proclamation, was suspended by executive authority for two months before the meeting of congress and during the whole succeeding session, to see if congress, who had been prevented the preceding session from legislating—the administration pretering the éclat of a negotiation—could not legislate the executive out of the difficulty into which he had placed the country by negligence, or, if the senator from Kentucky pleases, ignorance of the act of parliament. We all know how that effort terminated.—The two houses disagreed about the mode of effecting the purpose; both, however, willing to take the privilege on the conditions proposed by Great Britain. The senate passed a bill—the house, under the influence of the senator from Massachusetts, amended it, and the question was, whether one or the other oblique path should be trodden. The session terminated without legislative enactment, and then, and not till then, the proclamation of interdiction was issued. Thus, sir, smarting under the taunt of the British minister, our administration left the whole trade in the hands of Great Britain for six or eight months,—sought to cover itself from censure by invoking legislative interposition, and then, was compelled to act on the suspended statute. The interdict being proclaimed, the trade stood upon the very advantageous footing, according to the senator's judgment, which we have lost by the negotiation. Notwithstanding we were enjoying such eminent advantages, the late administration, in spite of the taunt, directed Mr. Gallatin to try again to procure what is now disparaged, by opening the door of the negotiation after it had been shut in his face. He was again repulsed. But this humiliation was not enough; Mr. Barbour was sent to London, and he too had his instructions, and went, cap in hand, knocking at the closed door for negotiation. Sir, he knocked at the door of the British ministry, under circumstances humiliating in the extreme. If a gentleman should go a second time to a house, the proprietor of which, speaking from his window, had directed his porter to deny him the visitor, his visit would have been somewhat like Mr. Barbour's second call.—Yes, sir; yet the humiliation was vain—the second as fruitless as the first.

Such was the condition of this question when general Jackson was placed at the head of the country. One of the first objects of his administration was the recovery of the British West India trade, an arrangement of it upon terms of just reciprocity, satisfactory to both parties, and, therefore, promising to be permanent. Mr. McLane was selected to go to England, and these much abused instructions prepared by the late secretary of state. Let it be remembered, sir, these are instructions from the president of the United States, to the American minister, never intended for the eye of the British government, and which in no other country but ours, would ever have seen the light.

The opening of this negotiation was the chief difficulty. To remove it, two grounds are taken. It will be remembered that our refusal to accede to the terms of the act of parliament, was made the ground of refusing to treat with Mr. Gallatin and Mr. Barbour, both of whom went prepared to offer an arrangement

by reciprocal legislation; taking the act of parliament as the British legislation. To obviate the difficulty, after a fair and full history of the transaction, these suggestions are presented to Mr. McLane to be pressed so far as he might deem it useful and proper so to do. If the British persist in refusing to hear you, on this subject, remind them of the circumstances that have occurred of the difference of opinion among ourselves on it; of the abandonment by the administration of those pretences that had prevented an adjustment of it; that they are not to be again brought forward; that the present administration was not amenable to the British government, nor to any other, than the people of the United States, who had passed upon all their acts. Say to the British, if it makes pretensions formerly advanced the pretext for still declining to negotiate, the sensibility of the American people will be deeply awakened.—That the tone of public feeling, by a course so unwise and untenable, will be aggravated by the known fact that Great Britain had opened her colonial ports to Russia and France, notwithstanding a similar omission on their parts to accede in time, to the terms offered by the act of parliament. And this, sir, is represented as the language of entreaty, as the begging of a boon. This menace of the public indignation; this declaration that the late administration was neither to be censured or praised by foreign nations; was amenable for their conduct to no earthly tribunal but the people of the U. States, is tortured into a claim of privileges, on party grounds for party purposes, and as a disgraceful attempt to throw upon a previous administration unmerited disgrace, for the sake of currying favor with a foreign power, and that power of all others, Great Britain. Great Britain could not resist this frank and open and manly appeal. Committed by their concession in favor of France and Russia, and the ministry distinctly told by Mr. McLane, that he would not remain if they declined negotiation, or placed their refusal upon any other ground than an open declaration, that their interests could not permit them to enter into a reciprocal engagement with the United States, the English cabinet reluctantly yielded; and then came the most odious feature in this transaction, that which has sharpened the intellect of the opposition to discover dishonor, in truth, and a want of dignity, in a frank exposition of facts, its crowning success. Mr. McLane and Mr. Van Buren, under general Jackson, succeeded in effecting an object of public solicitude, that Mr. Adams, and Mr. Clay and Mr. Gallatin and Mr. Barbour could not obtain. The country was humiliated by the preceding administration without success; hence the charge against Mr. Van Buren; hence, the overwhelming anxiety to prove, that the success of the late negotiation has been purchased by humiliation. The British cabinet desired not to make the arrangement, it interfered with great local interests, and if they could, without a manifest and unjust distinction to our prejudice, they would have declined admitting the United States to the privileges granted to the other maritime powers. Not satisfied with his condemnation of Mr. Van Buren's instructions, the senator from Kentucky attempts to show us, by referring to another letter of instructions, how this affair should have been conducted consistently with his ideas of national honor and dignity. The letter from which he has read, to the senate, extracts, is, I think, signed H. Clay. Will the senator tell us, who is responsible for it? If he is, then he exhibits himself in the singular position of a man transparently contrasting the work of his own hand, with that of a rival author. I believe the senator knows that there were two other instructions, written by himself, of a subsequent date, one to Mr. Gallatin after congress failed to legislate, and another to governor Barbour, neither of which is before us, and therefore, not to be contrasted with Mr. Van Buren's work. I am content to shudder by the result of a contrast of the instructions he has condemned, with those he has quoted. Let us see how the gentleman's letter will stand the test of examination. Mr. Gallatin, he says, was not instructed to abandon a right; we were to be at liberty at a more convenient season to resume it. Mr. Gallatin was to give a strong proof of our desire to conciliate by a temporary concession of what we had previously claimed throughout the whole negotiation.

Was Mr. Gallatin instructed to say to the British government, this is a *temporary concession*? No, sir, he was authorized to waive the claim and make an arrangement on the British basis. Put this into plain language, and what was it? strip it of its diplomatic drapery and verbiage, and it is neither more nor less than an abandonment of a pretension which, though we had supported by argument, we were resolved not to enforce by power. Sir, this covering up of a plain truth is the common trick of diplomacy; it deceives no one, and had Mr. Gallatin presented these conciliatory concessions, they must have been received as a virtual and total abandonment of our pretension. The honeyed words of right, waived from a conciliatory spirit, and with the hope of corresponding friendly dispositions, would have been received with a sneer, lurking in the official—artificial smile of a—thoroughbred diplomatist. The senator insists, however, it was a right and not a pretension. If it was a right, why was it waived or surrendered?—For conciliation's sake. Why, sir, we were the offended party—England had taunted us. England had refused once, twice, thrice to negotiate, and yet to conciliate England, we were waiving a well grounded right. For what purpose were we thus conciliating? To place the trade on its present footing, to the great injury of the navigation and commerce of the United States.—Such is the view now taken by several honorable senators who have favored us with their opinions on this subject. The present administration waived no right for conciliation's sake, sacrificed no principle. It stood upon the truth, and the truth only; and whatever may be the custom of others, and the ordinary usages of diplomacy, the administration was right. Nations told themselves in the robes of falsehood, and swell and strut in vain—to preserve an air of dignity and decorum. No nation ever was just to its own character, or preserved its dignity, that did not stand at all times before the world, in the sober and simple garb of truth. Sir, the character of our diplomacy has undergone a marked change; we are no longer pretenders to skill and artifice; all our wiles are facts and reasons, all our artifice, truth and justice. The honorable senator tells us that this instruction is false, or else it proves Mr. V. B. to have been criminally ignorant of what it was his duty to know.

How does he make this appear? he alleges that Mr. V. B. charged the late administration with being the first to advance the pretension it subsequently abandoned—and this he declares is untrue, the pretension was set up before the late administration came into power. Now, sir, as I read this paragraph, Mr. V. B. does not charge the late administration with being the first to advance this pretension. The senator will recollect this is a letter to Mr. McLane, whose personal knowledge is appealed to, and who must have understood the writer as alluding to a fact of general notoriety, the words are "*those who first advanced, &c.*" have subsequently abandoned. Can any man mistake the meaning—the meaning is perfectly in accordance with the fact? The pretension was advanced by the use of the famous *elsewhere* in our act of congress. An act known to have been penned by Mr. Adams, who had previously occupied the ground covered by it, in his instructions to Mr. Rush. It was Mr. Adams who first advanced and abandoned this ground. The credit or the odium, whichever term belongs in justice to the act, attaches to Mr. Adams, and so Mr. McL. could only have understood it, and so must the senator from Kentucky, if he examines with a desire to understand it on the spirit of the author. There are considerations connected with Mr. V. B. if I deemed it consistent with his honor, that I could present to those that hear me, that would not fail to make a deep impression upon their minds. But I ask no remembrance of his forbearance, no recollection of his magnanimity, I appeal to no one to imitate his mildness and courtesy and kindness in his deportment here, nor to judge him, as he judged his rivals for fame and power. I demand for him, nothing but justice—harsh—harsh justice.

Remarks of Mr. Frelinghuysen.

I beg the indulgence of the senate, barely to state the reasons of the vote, that I shall give on the nomination before us. In this, I regard Mr. Van Buren as a

public man, and my reasons for withholding my advice and consent to his nomination are *public reasons*. They are purely national, in which neither party nor prejudice have place. I feel the weight of all that responsibility, to be increased by the important measure of recalling a foreign minister for causes that implicate him in public censure; but I also feel fully sustained by the considerations that shall influence my vote.

Sir, the true interests of the nation require a minister that will represent his country, and not merely advance his party. We want a minister of that lofty character, who will the moment his mission commences, drop the habiliments of party, and robe himself in the pure and loyal vestments of his country—his undivided country. I desire such a man to go forth, forgetting all the strifes at home, and remember only that he is an American minister, and to act upon American principles. But, when we perceive the gentleman, now before us, deliberately at his bureau, instructing our minister to a foreign court to call to his aid in conducting our negotiations the results of our political contests, I have good cause to fear that he does not possess those elevated principles, that will dispose him to reject the counsels which he so freely and so anxiously communicates to others.

In the instructions prepared and given by Mr. Van Buren to Mr. McLane, we have evidence not to be mistaken, of Mr. Van Buren's policy. And it is so purely selfish, as to absorb all considerations of country. It is so devoid of American spirit and character, that I am compelled, by a high and solemn sense of duty, to bear a decided protest against it.

What is the scope of these instructions? As I understand them, they distinctly direct our minister to employ the influence of party, and of his party too. They commission him to apprise the British court of the character of our political collisions, and especially to let him know who triumphed and who were defeated. Sir, it is humiliating to think of it. These instructions urged our minister to put his party in the right and the country in the wrong—to refer the British minister to the results of the ballot box here, and to press upon that cabinet the vicissitudes of our political controversies—our own domestic differences, as motives to persuade them—to what, sir? Why, plainly, to grant that favor, to extend that privilege, to his now dominant party, that was refused to those in whose keeping the arrangement of American interests had theretofore been confided. This is the first attempt, in our diplomacy with foreign states, to separate the administration of the country from the country. How wanting in all justice, as well as magnanimity, was it, to make this dangerous and unwarrantable assumption, a plea, with any foreign court? Sir, who is, by our constitution, who alone can be our public organ, but "the administration?" And yet hear a clause of these instructions. Mr. Van Buren really argues the point: "to set up," he proceeds, "the acts of the late administration, as the cause of the forfeiture of privileges, which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself," &c. &c. Wherefore unjust under existing circumstances? Because, as before stated, we, that is we, the new men, now in power, did not participate in the acts of the late administration, and, therefore, we humbly hope, that we may be spared the forfeiture of these privileges. This, with other portions of this extraordinary document, is so humiliating to our national character, that I cannot consent to enunciate it by advising the president to appoint Mr. Van Buren to the very court at which he has humbled us. No, sir; let us rather meet the case at the threshold, with our unqualified disapprobation, and never suffer it to grow into the authority of precedent by our acquiescence.

Why, sir, the consequence of such a course of diplomacy would be most disastrous—it would perpetually distract our public counsels on every change of administration—nay, on every prospect of a change—on every commotion in the country that might indicate it, we should be driven by such measures, to entertain a stronger jealousy of our diplomatic functionaries abroad, than of the courts and nations to which they were sent.

Are we prepared to say, sir, and have it understood, that our political conflicts are to leave our own shores, and cast their influence abroad? That our ministers are to become the agents of a party, and drive its purposes in such manner and by such means as they deem fit? I trust not. Let us preserve the honorable and manly character of our foreign intercourse; and expect and require that our ministers shall, in their discussions and conduct, act for their country; and not make a foreign court the arena on which to play off the intrigues or push the interests of a party.

Remarks of Mr. Moore.

Mr. President: I do not now rise for the purpose of prolonging this debate. Under all the circumstances of the case, notwithstanding the able views which have been presented, and the impotence of the senate, I feel it a duty incumbent upon me, not only in justification of myself, and of the *motives* which govern me in the vote which I am about to give, but also in justice to the free and independent people whom I have the honor, in part, to represent, that I should set forth the reasons which have reluctantly compelled me to oppose the confirmation of the present nominee. Sir, it is proper I should declare that the evidences adduced against the character and conduct of the late secretary of state, and the *sources* from whence this evidence emanates, have made an impression upon my mind, that will require of me, in the conscientious, though painful discharge of my duty, to record my vote against his nomination. But, let it not be understood, that I am opposed to the executive, or his administration. On slight grounds I am incapable of assuming such an attitude; for, sir, I have the honor of having been associated with my fellow-citizens in elevating general Jackson to the presidency; and the broad principles which elevated him to office continue the beacon lights of my political course. And, sir, it must be remembered, that the proud people whose representative I am, are too patriotic to wink at the compromise of the nation's honor; too virtuous to encourage intrigue and corruption, and too honest to withhold their approbation from a faithful discharge of public duty. In the name of this people, then, whose servant I rejoice to call myself, as far as my vote may go, I shall protest against that highly reprehensible course of conduct which has been pursued by the nominee. I repeat, sir, that the vote I shall give does not proceed from hostility to the executive. I came here prepared, and am now disposed to give a liberal and generous support to the great leading measures of his administration. It is, therefore, with no small degree of satisfaction, that I can recur to my cordial support of most of those measures and nominations which have passed in review before the senate; and especially the nominations of his cabinet ministers; and I am now, sir, free to state, that my vote shall be given for Martin Van Buren, as minister to England, if the charges which shall have been preferred against him shall by any means be weakened, or done away. As the friend of Andrew Jackson, I have been, and am still, disposed to prosecute this inquiry into the truth of the charges, believing that it is due both to the president and to the nominee, that every gentleman present should be fully satisfied of the correctness of his vote. No man in the nation can boast sincerer friendship for the executive than I am; no man in the dark hour of trial was more fervent in his support, (for I was an original advocate of his claims.) But, sir, I cannot obey the slavish dictates of party discipline. I am constrained to yield to the deliberate convictions of my conscientious judgment. When my reason is convinced, I dare not disregard her mandates.

Sir, as has been remarked by the honorable gentleman from Maryland, (Mr. Chambers) I too, am aware of the danger to which my vote may subject me.—For, sir, it is my fate to have bitter enemies; but, sir, it is my peculiar fortune to be able to boast of the most sincere and warmest friends. I am also aware that the malignity of those who cannot appreciate the obligations of an honest motive, may cause them to hurl the shafts of calumny against me, and attempt to prejudice the minds of my constituents. I am aware, too, that there are those whose minds are narrowed to the confines of party predilections, on whom those assaults may prove

successful. I am also aware of my misfortune in differing with my honorable colleague, and that the motives which have induced me to assume my stand, may be utterly misrepresented. However, after due deliberation and reflection, and under a strong impression of my high responsibilities, and with a perfect conviction of the approbation of my conscience, and my constituents, no satisfactory explanation of the weighty charges alleged against him having been given, I am compelled to record my vote against the nomination.

MISCELLANEOUS ARTICLES.

THE current volume of the REGISTER will close on the last Saturday of the present month, when a good opportunity will be afforded to those who may be willing to assist in giving it a new dress, as is intended, or in defraying the extra expenses that must be incurred to keep up the record of important things, as well as to discuss general subjects, as usual.

Mr. VAN BUREN. Some of the facts brought out, in consequence of the late rejection of this gentleman by the senate of the United States, have uncommon interest, because of the excitements of party; but we cannot attend to them until our columns are relieved of the debate; and then they may be registered.

Meetings have been held at Albany, New York and Philadelphia, disapproving the rejection of Mr. Van Buren. There was no meeting held in South Carolina or Ohio to disapprove of the record of Messrs. Middleton and Harrison, and the supply of their places by Mr. John Randolph and Mr. Thomas P. Moore. And a meeting has also been held at New York to support the "constitutional right of the senate," as to the rejection of Mr. Van Buren.

There were two meetings at New York against the senate, and both are called "failures." The "Sentinel" states that that at Philadelphia did not exceed four hundred persons, "at most"—and decidedly says that Mr. Dallas or Mr. Wilkins will receive the Pennsylvania nomination for vice president, by the convention that is to assemble on the 5th of next month.

MR. HAYNE, in his explanation about the editor of this paper, &c., took the opportunity to modify his proposed amendment to Mr. Clay's resolution. In a more full report of his remarks, he is made to have said—"That amendment had been originally intended to embrace what he understood would be the proposition of the Free Trade Convention. He had understood, however, since, that it varied somewhat from that proposition; and when he should be made acquainted with the precise character of the views presented in the memorial of that convention, he should probably modify his amendment so as to conform to them."

We only ask that Mr. Hayne will not object to the proposition of any gentleman who shall model his plan after the views of the New York Convention—because thinking it wrong that the opinions of that body should be plainly introduced to the consideration of the senate! We make this remark, because general Smith could see "lobby members" from the latter, but none from the former body of individuals. So wide is the difference between *men* and *things*.

What we said of the act of 1828, shall not be retired from. It was intended by many that no tariff bill should be passed at that session, though they quailed at the responsibility of the year and days, and made reward calculations that the eastern members would reject it, because they had rendered it offensive to them—and so it nearly happened. We refer Mr. Hayne to the opinions of his friends, Messrs. Gilmer, Cambreleng, and others, on this point. They are on record. We saw the wand of the "magician" at the time allotted to—and well knew the game that was playing to defeat the passage of any bill concerning the tariff, while pretending to an ardent zeal for the support of domestic industry; thus to tickle the people, but perfect the "combinations" which Gov. Floyd spoke of. Most of the puppets used on this occasion, are heard of no more. They served the purpose, and have been cast aside among the old rubbish—the discarded cups and balls of the wire-workers of that day.

The act of 1828 was not such as we wished it should have been; and we doubted whether there was not more evil than good in it, but it was thought best to take it, with a view to future amendments, and it was improved in the senate. But in certain respects, (such is the elasticity of the American people) that they have partially accommodated themselves so as to reduce the evil,—and make the most of the good; and after a while, perhaps, the law of 1828, with a few exceptions, and new enactments to prevent frauds, may do very well.

CHARLESTON. Mr. Hayne's remarks on the reduced tonnage owned at Charleston, and Mr. Clay's reply, give more than usual interest to the following facts derived from an official account of the foreign arrivals and departures of vessels, at that port, for the last three months of 1831.

Arrivals.	Ships.	Brigs.	Am.	Total	Br.
October—American	3	3	5		
British	3	7			10
Novem.—American	3	4	7		
British	4	1			5
Decem.—American	1	4	8		
British	3	3			6
Departures.					
October—American	1	5	6		
British	0	3			3
Novem.—American	4	0	4		
British	2	5			7
Decem.—American	6	6	12		
British	7	2			9
Totals			39		39
And there were arrivals and departures of other foreign ships and brigs					12
					61
					39
					12

Balance in favor of foreign vessels

The preceding is abstracted from the official report of "Samuel Alexander, harbor master," of Charleston, and presents a beautiful specimen of "free trade!" Yet Mr. Hayne complains of the decline of Charleston,—and that her last ship was sold, sometime ago.

JOURNEMEN TAILORS. Among the laughable movements of the times, is the petition of some journeymen tailors of Philadelphia to congress, for a reduction of the duty on woollen cloths! They are protected by an efficient duty of 50 per cent.—and the price paid for their labor is more than twice as high as in London. When we shall agree to reduce the duty on cloths, to the ruin or loss of the wool grower and manufacturer, and the sacrifice of scores of millions of dollars vested by them, we shall certainly take off the duty assessed on British ready-made cloths. It right to pay the taxes and tythes of British farmers, and manufacturers of cloths—it must needs be right also to employ British tailors.

MR. CLAY'S SPEECH. The "National Intelligencer" of Tuesday last says—

Nearly the whole of yesterday's sitting of the senate was occupied by Mr. Clay in the conclusion of his argument on the tariff. He spoke more than three hours, and was briefly replied to by Mr. Smith, of Maryland, between whom and Mr. C. some passages followed, of so warm a character as to call forth the interposition of the chair.

We should have supposed that the public appetite for the debate had been in some degree sated by the previous displays, but yesterday the crowd which pressed into the senate chamber was even greater than on any former day. Indeed, the jam exceeded any thing of the kind which we ever before witnessed. In the galleries, it seemed to us that men literally stood on others' shoulders. Below, the chamber was almost entirely filled with ladies—not seated, for the greater part of them it was impossible to furnish with seats—but standing in compact mass—and this for four or five hours. Truly, one knows not which most to admire in the fair auditory—their intellectual relish or their power of endurance.

[We shall insert this speech, of course, when received, and would gladly give place to Mr. Dickerson's very sensible and strong remarks on the same subject,

and shall do it, as well as bring up the lee-way made as to other matters—if there shall be a brief cessation of exciting subjects in congress.]

WOOL. We mentioned in our last that the farmers were protected by an efficient duty of 65 per cent. on wool, and have before us an invoice of three hales of wool received at Baltimore, from Germany. The cost of this wool, as ascertained at the custom house, was \$463 40, and the duty and other charges, exclusive of commissions, made an aggregate cost of \$791 32, which sum was paid by the importer—or say seventy per cent. advance on the cost.

The natural effect of such protection will be—the abundant growth of wool in our own country, if its manufacture is also efficiently protected; otherwise wool cannot be grown as a "crop." England has nursed her woollen manufactures for more than a century, and they have become strong; but the "free trade" folks will not allow our's even to "cut their eye-teeth," before they would turn them defenceless on the world. As things stand now—it would be a suicidal act to disturb the duty on wool, and nobody thinks of it, except those opposed to the system; even the duty on coarse wool, imposed by the enemies of protection to sink the bill of 1828, has found friends, in the belief that its effect will be a full supply of better articles in lieu of those hitherto made exclusively from it.

COTTON. During a late week, the clearances of cotton at New Orleans amounted to 8,422 bales—of which 3,620 were for Liverpool, 1,106 Grenock, 328 N. York, 1,951 Boston, 396 Baltimore, 713 Portsmouth, N. H. and 303 Providence, R. I. Total to foreign ports 4796—to domestic ports, and chiefly for the factories, 3716. This is a pretty little item.

"SAXON SHEEP." The letter of general James Tallmage, and the case stated by him concerning the fine-wooled Saxon sheep, inserted in the REGISTER of the 14th ult. page 373, has caused the receipt of two communications from practical men, contesting the principles laid down in the article referred to. We desire to give them a speedy insertion, and shall make room for them as soon as we can. The subject is highly interesting, but will not suffer by a little delay.

IMPRESSMENT OF SEAMEN! It is gravely stated in the "Globe," that Mr. Van Buren was commissioned to negotiate concerning the impressment of seamen. We thought that question had been sunk in the ocean with the hulk of the Guerriere, or snugly buried in the swamps of Louisiana; and that the people had fully determined that, on the high seas, the stars and the stripes should protect all sailing under them—and that a search shall not, under any circumstances, be permitted, unless by civil process in British ports, or "fresh pursuit" of deserters. The proposition to negotiate about impressment would seem partially to admit the "right" as claimed by the British—which we regard as altogether inadmissible, and will not agree to consider.

THE CHICKASAW TREATY. The debate on this treaty has been exciting. We intend to publish some of it. The facts disclosed, if they had happened in other times, would have caused no small stir among the people.

THE CHOLERA. The mayor of New York has ordered that, in consequence of the spread of the cholera in Europe, all vessels arriving from ports in the Mediterranean, or the western coast of Europe, including those of Great Britain, shall anchor at quarantine until examined by the health officer.

A summary notice of the spread of the cholera in England, will be found under the head of foreign articles. It has appeared also in the neighborhood of Edinburgh, and fears are entertained that it will become general.

THE SEASON. A letter to the editor from Vermont, dated Jan. 17, says—there had been a severe thaw, which had almost spoiled the sleighing—that the green award was then being ploughed up for the spring crops; for it had not been frozen in the pastures and meadows un-

der the snow, though the preceding month had been the coldest within the recollection of the oldest inhabitants.

THE MAJORITY SYSTEM. There are yet two vacant seats in the house of representatives—one for a member from Massachusetts, and the other for a member from Vermont—because that, as three candidates were voted for in each district, no one had a majority of the whole number of votes, as is required in these states, though some six or eight trials to elect have been made in each, at a great waste of time and money, and excessive harassing of the minds of the people; who are friendly to certain great interests, but cannot agree on the person who shall represent them. It is possible that such vacancies might be the ruin of those interests.

"A RASCAL!" A piece of paper was sent to us the other day from the "lar west," very prettily ornamented and marked as a five dollar bank note. It purported to have been manufactured at the Salem and **PHILADELPHIA MANUFACTURING CO.** New Jersey—the word "Salem" being printed in small letters, "Philadelphia" in large ones, and the "Manuf" so flourished that they might be taken, on a slight observation, for the letters BANK; and the whole for a note of the Philadelphia Bank.

This paper bears evidence on its own face of a design to deceive. We sent the rogue back from whence he came. Whether the vagabond is from an old swindling shop at Salem, or a new issue, we do not know.

THE SLAVE TRADE. Some of the British vessels on the coast of Africa, being in pursuit of a slave vessel, the villains on board of her threw 180 slaves into the sea, manneled together, four of whom were picked up and saved. We hope that all nations will soon agree to regard this trade out-lawed, so that the simple fact of being caught with slaves on board shall cause the death of every person engaged in the business. A few well-armed vessels would then soon end this inhuman business, and it must be seized with a strong hand.

TAXES—RUINOUS TAXES! Mr. senator Benton, in a report of the debate upon his *salt bill* in the United States says:—

"The agricultural interests were, however chiefly concerned in the salt duty. In the great region which is watered by the king of rivers, whose essential interest is agriculture, this duty chiefly operates. Through the port of New Orleans, we send *thirteen millions of bushels of salt* into this region. For the salted provisions put up by the *western farmers*, the salt which is made by *solar heat* can alone be used."

"Thirteen millions of bushels of salt! which, until very lately, paid a duty of 20, now 10 cents a bushel,—a tax, of two millions six hundred thousand dollars upon the people of the valley of the Mississippi!—who never use any Kenhawa, or Sandy, or Goose Creek salt, to cure their meats! The senator, of course, speaks of the consumption of a year, for if he talks of the possible consumption of ages, or of a century, he talks nonsense. The whole amount of salt, imported into all the ports of the union, during the year 1830, according to this year's treasury report, (pamphlet p. 84) was *five millions, 374 thousand and 46 bushels*. Less than *one tenth* of which, in all probability, was received at New Orleans. But what will the farmers of the west think of the *senator's* being told, by a *western senator*, that they use *no salt* for provisions, but the alum, or hard coarse salt of the West Indies—when they know that there is not one bushel in a thousand of what they use which is not made at some of the works in the western country?"

[Frankfort Com.]

☞ The preceding is not quite equal in "magnitude" to Mr. Cambreleng's creation of 8,648,868 tons for the coasting trade of Great Britain—being, perhaps, the amount of tonnage in *all* the world—from that of the largest ship thro' floats to the hirc canoe of the Indian—but runs a parallel with some of the famous and "honorable" gentleman's calculations as to the duties that are paid on foreign woollens; and is exactly fitted to some of the statements furnished to the senate of the U. States by an *imported* friend of American interests, (Mr. Sar-

chett), no other worker in iron being capable of getting-up the thing so handsomely.

PENNSYLVANIA. The "entire" Democratic convention, which assembled at Harrisburg on the eighth of January, to nominate a governor of the state, electors of president and vice president, &c. and consisting of about, or less, than forty persons, as heretofore mentioned, seems to have *entirely* failed, by the declination of most of the persons honored with a nomination on that occasion, though regarded as "whole-hog" men—to use the late elegant term of furious party. Among the *resigned* is the celebrated George Kremer! He "could not go it." The "official organ" for Pennsylvania, the "Inquirer" at Philadelphia, says—"It is only necessary for us here directly to state, that *all the resignations* that have taken place from either of the tickets nominated by the state convention, have been made by the *friends* of the governor—*men who would rather sacrifice the president than perit the re-election of George Wolf.*"

The friends of gov. Wolf, however, give us to understand that their opposition is mainly against the *succession* of Mr. Van Buren to the presidency—which it appears was the *real* object of the abortive convention to promote.

On the 2d inst. Dr. Burden offered the following resolution in the senate of Pennsylvania:—

Resolved, by the senate and house of representatives, &c. that the senators from this state in the congress of the United States be instructed, and the representatives requested to use their exertions to obtain a renewal of the charter of the bank of the United States during the present session of congress, with such alterations, (if any be necessary), as may secure the rights of the state.

When this resolution came up, the speaker of the senate offered the following substitute:—

Whereas, the charter of the United States bank will not expire till the year 1836, and, whereas in re-chartering an institution so important, the utmost circumspection should be used with regard to its provisions, and whereas those provisions would not, in the opinion of this legislature, be well adjusted during a period of high party excitement. Therefore,*

Resolved, That in the opinion of this legislature the present session is not a propitious period for setting on this question.

Resolved, That the attempt by the bank to connect this matter with party politics, is unwise and ought to be repudiated.

Debate followed, and the substitute was lost, only two or three voting for it—and then the resolution passed unanimously; and, being sent to the house of representatives, it was promptly agreed to—77 for, 7 against it. †

The following resolution, which had sometime previous passed the senate, if we recollect right, unanimously, was before the house of representatives on the 3d inst.

Whereas, protecting duties are in strict conformity to the spirit and letter of the constitution of the United States, tend eventually to lower the price of goods, encourage agriculture by creating a home market, give employment to our own citizens in our own country, instead of maintaining the subjects of foreign nations, increase commerce by extending internal trade, and, by affording articles of export, preserve public morals by substituting industry for idleness. And, whereas, under the operation of the tariff, the nation has enjoyed an unexampled degree of prosperity, which can only be perpetuated by a steadfast support of the system:

Therefore, resolved, by the senate and house of representatives of the commonwealth of Pennsylvania, in general assembly, met. That it is the opinion of this legislature, that any reduction of duty on articles which enter into competition with such as are produced or ma-

*It has been contended that is a *censure* on the president, for agitating the question more than two years ago.

†The senate of New York, 20 to 10, have passed a vote against rechartering the bank. It was yet pending in the other house. All the banks in the city of New York have united in a memorial praying that the charter of the bank may be renewed.

manufactured in the United States, would be inimical to the true policy and best interests of the nation.

Several amendments were proposed and put down. One was "that the protection of American manufactures should be fostered as far as is compatible with the peace and harmony of the union," but it was not supported by any other than the mover and seconder. The resolution was passed.

CANADA appears to be very considerably excited. The people are getting warm in several parts of the provinces, and the government is exerting a high hand over them. Mr. Mackenzie, twice elected to the legislature of Upper Canada, has been twice expelled, for alleged libels on the legislature and government; many exciting questions are before the people, contending for more liberal opinions and just practices; and Mr. Mackenzie was about to proceed to England to lay them before the government at home. In Lower Canada, the editors of the Montreal "Vindicator" and of the "Minerva," have been arrested, and, without a jury trial, condemned to imprisonment by the legislative council; and in the house of assembly of this province, it is stated that Mr. Auditor Young threw a candlestick at Mr. Solicitor-general Ogden's head!

Canada contains a large share of the elements of revolution, and they will assume a form and substance at an early day. The officers of the state and in the church, sent out to make money, are, as such persons generally must be exceedingly offensive to the settled population.

JAMAICA was in great alarm and confusion because of insurrectionary movements among the slaves. Martial law had been proclaimed, and the troops were ordered to shoot down all who did not immediately surrender at discretion. Arms had been found in some of the huts, and to a considerable amount. Many plantations had been destroyed. The following proclamation had been issued—

Montego bay, head quarters, St. James' Jan. 2, 1832.
To the rebellious slaves,

Negroes—You have taken up arms against your masters, and have burnt and plundered their houses and buildings. Some wicked persons have told you that the king has made you free, and that your masters will hold your freedom from you. In the name of the king, I come among you to tell you you are misled. I bring with me numerous forces to punish the guilty, and all who are found with the rebels will be put to death without mercy. You cannot resist the king's troops. Surrender yourselves and beg that your crime may be pardoned. All who yield themselves up at any military post immediately, provided they are not principals and chiefs in the burnings that have been committed, will receive his majesty's gracious pardon. All who hold out will meet with certain death.

WILLOUGHBY CORROU maj. gen. commanding.

The period may be a little delayed—but nothing is more settled in our judgment, than that a black belt will extend from Cape Antonio, in the island of Cuba, to the southernmost point of Trinidad. "It is as fixed as fate"—and this result had better be calculated than the value of our union!

One account says that the negroes, 15,000 strong, had possession of the interior of Jamaica—if so, and they are resolute, it will be hard to dislodge or destroy them. The history of the *Maroons* is familiar to every body.

FOREIGN ARTICLES—BRIEF NOTICES.

GREAT BRITAIN AND IRELAND.

The British kingdoms are much agitated—to an uncommon degree of privation and suffering and acts of violence, in some parts, are added terrible apprehensions of the cholera, and fearful considerations concerning reform. If the house of lords shall again reject the bill, serious disturbances are expected. The British people were never, perhaps, more excited than at the present time; and it seems very possible that many of their artificial institutions, such as the corn laws, tythes and other monopolies, must soon give way—and "great will be the fall thereof."

We have a long list of places in the vicinity of Sunderland, at which the cholera was raging, though declining in the town just named, seeming to have newly

expended itself. These are the chief places mentioned—New Castle, North Shields, Gateshead, Tynemouth, South Shields, Houghton le Spring, Pensher and Haddington—and in Wales. The whole amount of cases, recoveries and death is not easily ascertained—but the reports would show the probable amount of cases up to the 31st Dec. at not less than 1,500, of which more than one-third ended in death. It was observed by a French physician, who had been sent to examine this disease at Sunderland, that "it begins where other diseases end—in death." At Gateshead the disease appeared all at once in the attack of 39 persons—59 new cases were reported on the next day, and about 90 more in two days—of the latter 42 died within these days and 13 recovered. It is insisted that, in one instance, the disease was communicated by rags, &c. Persons of all ages and conditions are attacked—but the chief victims of the cholera are the impecuniate, and its favorite places of resort in filthy streets and among filthy persons.

The British king's speech on the opening of parliament re-urges the reformation of the commons—speaks of the "distress that prevails in many parts of his dominions," and it is severe—acknowledges, with great concern, the existence of the cholera at Sunderland—notices afflictive results in Ireland, because of opposition to the payment of tythes, and suggests that, while the church is protected, something may be done to remove the cause of complaint—mentions the late scenes of violence at Bristol—and throws out a general idea that the peace of Europe will not be interrupted.

Dollars at London, Dec. 30—4s. 9½d. per oz.

The reform bill again passed the British house of commons on the 16th Jan. For it 324, against 162.

There has been a dreadful explosion in a coal mine near Wigan. The depth of the coal from the surface, was 1,245 feet. Twenty-eight persons were killed.

Two ruffians named Bishop and Williams were lately executed at London of "Barking"—that is murdering three persons to sell their bodies to the surgeons; and execution swiftly followed their condemnation. Their practice was to stupefy their victims with rum and laudanum; and then put them head-foremost into a well—when the "business was soon over," and the rum and laudanum discharged, to prevent suspicion. Every thing belonging to these fellows is detailed with John Bull length and eagerness. Tens of thousands attended their trial, tens of thousands their execution; tens of thousands examined their bodies exposed after death, and tens of thousands have visited, with intense curiosity, the scenes of their atrocities. Five guineas were paid for good seats to see the hangings.

Ireland is in a terrible state, because of poverty, oppression and violence. The payment of tythes is resisted in many places. At Waterford, a mob of several thousand persons, many armed with pitchforks, after receiving the fire of the police, which killed three of them, rushed forward and slaughtered fourteen of their enemies, and so badly wounded several others, that they would die. The people seemed converted into savages, from their manglings of the bodies of the police-men.

There has been a great riot at Aberdeen, in which an anatomical theatre was destroyed as a "Barking shop."

O'Connell was attempting to get up a sort of a parliament for Ireland, to meet at Dublin on the 9th Jan. The following is given as an extract from one of his late harangues; he seems resolved to nullify England: "England, strong as she is, with Scotland and Wales pouring in on her—I will give them France too—paltry Spain, Portugal, the states of Italy, and they may add the Russian autocrat; and in opposition to these, let only all the Catholics, Protestants, Presbyterians and Dissenters of Ireland, put shoulder to shoulder in the field, and we will defy them—(Tremendous cheering.) Every mountain in Ireland is a fortification—every road is a defile—(Query, Knockloper?)—and, in fact, such military positions and advantages no country ever had; and it agreed amongst themselves, what country ever had such a garrison?"

The French chamber of peers, 103 against 70, have passed the law which abolishes hereditary peerage in France. This has added fresh fuel to "reform" in England.

There was tumult at Grenoble, but soon suppressed by the military, because of supposed over charges of a tax gatherer.

The French troops on the Belgic frontier are held ready to march at a moment's notice. It is thought that the king of Holland will again appeal to arms.

The proposals of gen. Latsyette to grant civil rights to the Polish refugees in France, had been rejected by an immense majority in the bureau, and will, therefore, not be read in the chamber. Algiers is to be a French colony.

MISCELLANEOUS.

The whole loss of the Russians in the late campaigns in Poland, is put down at 180,000 men—of which the capture of Warsaw cost 30,640. The Russian army in Poland is 150,000 strong. The Poles are governed with a high hand.

Gen. Torrijos, and his party of about 50 men, having left Gibraltar, and being followed by a Spanish armed vessel, were compelled to throw themselves on the coast of Malaga,—where they were captured and shot, amidst the shouts of the people, excited by the monks.

There is a report of a revolution at Rome, in which the pope lost his life, and great excesses were committed.

The cholera had entirely subsided in Egypt. An Egyptian fleet, of seven heavy frigates, seven corvettes, seven brigs and schooners and twelve gun-boats, with many transports, and 3,000 infantry and 1,200 artillery, had sailed for the reduction of St. Jean d'Acre, and expected to proceed to Damascus.

Gen. Bermudez has been assassinated in Cumana by *general Carrera*, and the people are called upon in a furious handbill to take a *general* oath to revenge him.

"Ferdinand 2nd, by the grace of God, king of the Two Sicilies, of Jerusalem, &c. &c." has condemned a number of his subjects to death, because of a riot that took place in Palermo. The charge against them was that they had conspired to overthrow the public peace to enrich themselves.

The bank of England had notes amounting to upwards of eighty millions of dollars in circulation, in the year 1830—This circulation was much contracted in 1831.

The loss by the fire at St. Thomas is estimated at between 2 and 3,000,000 dollars. The light was seen 72 miles.

The cholera has committed dreadful ravages in Arabia—its victims are said to have been 45,000, in one month.

The new volcanic island in the Mediterranean was rapidly diminishing, and it was thought would soon disappear.

The number of Poles at present in banishment amount to 62,000.

The lace trade at Nottingham is at the present moment, depressed beyond all parallel.

Several ladies have been thrown into convulsions on hearing the unknown tongues at Mr. Irving's Scotch church, and at the present moment there is a young lady laboring under mental derangement from the same cause!

London was lately enveloped in a fog as dense as any with which it has been visited for years. The mails and other coaches were conducted out of town by men with torches.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

February 3. A report from the navy department concerning seamen on foreign service, was ordered to be printed.

The committee on public lands were discharged from further considering the memorial of the assembly of Indiana, praying that ten years actual settlement on, and cultivation of, lands, should entitle such settlers to the same.

Mr. Hayne reported the bill providing for a revision of the rules and regulations of the naval service, without amendment.

The bill authorising subscription to the Baltimore and Ohio rail road company; and the bill to give effect to the commercial arrangement between the United States and the republic of Colombia, were severally read the second time and referred.

On motion of Mr. Foot, the senate resumed the consideration of Mr. Clay's resolution on the subject of the tariff—when

Mr. Clay resumed his argument, and continued speaking until 3 o'clock, when, being exhausted, he asked the further indulgence of the senate—and

The senate adjourned to Monday.

February 5. Mr. Smith presented the memorial of Charles Carroll, of Carrollton, and about two thousand others, praying for the renewal of the charter of the U. States bank.—referred.

Mr. Webster presented a similar memorial from sundry citizens of Massachusetts.

Mr. Chambers presented the resolutions of the legislature of Maryland, recommending the erection of light houses on certain points on the Chesapeake bay.

Mr. Wilkins presented the memorial of the Chesapeake and Ohio canal company, praying an enlargement of powers.

On motion of Mr. Chambers, the resolution relative to the celebration of Washington's centennial birth day, was taken up; and agreed to—and

On motion of Mr. King, the vice president was unanimously authorised to appoint on the part of the senate, a committee of five members.

The senate then resumed the consideration of Mr. Clay's resolution on the tariff—when Mr. Clay, addressed the senate for about three hours, in conclusion of his speech.

After some remarks from Messrs. Smith and Clay, (which caused the intervention of the chair), Mr. Hill gave notice of his intention to address the senate, and moved an adjournment. Adjourned.

February 7. The journal having been read,

Mr. Tazewell rose and asked to be excused from serving on the committee appointed in conjunction with the committee of the other house, for the purpose of making arrangements for the celebration of the centennial birth day of GEORGE WASHINGTON, the first president of the United States. He had opposed the resolution, though his own vote, and that of two others, who with himself had given dissenting voices, had, from the condition of the senate, not been observed by the presiding officer. He considered that the deputation should express an unanimous opinion in relation to the business on which they were to act, and, as he entertained different views, was compelled to ask the senate to excuse him from serving. Man-worship, how great soever the man, Mr. T. said, he would oppose.

Mr. Tazewell was excused.

Mr. Troup, for similar reasons, was also excused.

Mr. White, of Tennessee, said precisely the same reasons as influenced the gentleman from Virginia, also disqualified him from serving. He had opposed the resolution, and asked to be excused; and was accordingly excused from serving.

Mr. Smith, of Maryland, made a similar request, and was also excused.

The vice president communicated a report from the navy department, and one from the treasury department; the first transmitting a statement of the appropriations for the service of the navy for the year 1831; and the other a statement relative to the affairs of the Bank of the United States, in answer to Mr. Benton's resolution of the 24th ultimo.

Mr. Poindexter presented a memorial from the legislature of the state of Mississippi, praying for a grant of land for purposes of internal improvement.

Mr. Smith, of Maryland, presented the memorial of the Marine Bank of Baltimore, praying for a renewal of the charter of the United States Bank.

Mr. Dallas presented a similar memorial from the Commercial Bank of Pennsylvania. Also, a memorial from sundry citizens of Pennsylvania, praying for legislative interference in behalf of the Cherokee Indians.

Mr. Bell, of New Hampshire, presented a memorial from the Exeter bank of New Hampshire praying for the renewal of the charter of the bank of the United States.

Mr. Hayne made a report recommending surveys to be made of the Narragansett bay, with a view of ascertaining the practicability of establishing a naval depot and expedition post thereon.

The *vice president* communicated from the war department abstracts of the militia returns for 1831. Also, a report of the commissioners of the sinking fund for the last year.

The bill from the house for the relief of *David Darden*, was ordered to a second reading.

Mr. *Dickerson* reported the bill for the reduction of the duties on Indian blankets, and recommended its indefinite postponement.

The senate then proceeded to the consideration of Mr. *Clay's* resolution on the subject of the tariff, and Mr. *Hill* addressed the senate at length, in reply to Mr. *Clay*. He was followed by Mr. *Mangum*, in opposition to the resolution. At a late hour Mr. *Mangum*, who had not concluded his argument, gave way to a motion to adjourn; and the senate adjourned.

February 8. Mr. *Dickerson* who had been appointed in the place of Mr. *White* (excused) on the joint committee to take order for celebrating Washington's centennial birth day, asked to be excused, and was excused accordingly.

The said committee, on the part of the senate, now consists of Mr. *Clay*, Mr. *Webster*, Mr. *Pointexter*, Mr. *Chambers* and Mr. *Bibb*.

Mr. *Sprague* submitted the following resolutions: Resolved, That the late "arrangement" made between the executive of the United States and Great Britain, relative to a trade between this country and her colonial possessions, gives to British vessels an advantage in transporting articles to their West India colonies greater than is secured to American vessels, and violates that principle of reciprocity in navigation, which our government has hitherto scrupulously and firmly endeavored to maintain.

Resolved, That said "arrangement," and the president's proclamation of the 5th of October, A. D. 1830, opening the ports of the United States to British vessels, was not authorized by the act of congress of 29th May, 1820.

Mr. *Wilkie* submitted a resolution relative to appeals to the supreme court of the U. States, in certain cases.

Mr. *Dallas* moved that the report received yesterday from the secretary of the treasury, in reply to Mr. *Beaton's* resolution relative to the currency of the U. S. bank, be printed and referred to the select committee on the bank.

Mr. *Beaton* had drawn a resolution which he submitted, for referring this report, with instructions to inquire into the legality of the orders, issued as currency by the bank to the committee on the judiciary.

A debate ensued, in which Mr. *Beaton*, *Dallas*, *Smith* and *Johnson* took part.

After despatching some morning business, the senate resumed the resolution of Mr. *Clay*, relative to the tariff—when

Mr. *Mangum* rose and addressed the senate about two hours in conclusion of his speech. When he had finished,

The senate spent some time in the consideration of executive business. And then adjourned.

February 9. After the despatch of some morning business,

The senate resumed the consideration of Mr. *Clay's* resolution respecting the tariff.

Mr. *Tyler*, of Va. rose and addressed the senate for two hours against the resolution—when being much exhausted from feebleness of health, he gave way to a motion to proceed to the consideration of executive business—and the senate, after spending some time therein, adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 3. After various reports from committees,

Mr. *Thomas*, of Lou. moved a joint resolution proposing the appointment of a joint committee to inquire into the expediency of celebrating the centennial birth day of general George Washington.

Mr. *Adams* suggested the propriety of modifying the resolution by striking out the word "general."

Mr. *Thomas* accepted the modification.

Mr. *Taylor* suggested another verbal amendment; which was also accepted.

Mr. *Adair*, thought it would have been better to retain the word "general" and inserted before it the word "major," so as to read "major general"—as in his opi-

nion the fame of general Washington rested chiefly on his military services.

Mr. *Adams* replied—he considered the services rendered to the country by general Washington in a civil capacity, quite as important and worthy of commemoration as his military achievements; and that the simple name "George Washington," expressed more than if it were accompanied with a whole volume of titles, civil or military.

The resolution was amended so as to read as follows:

Resolved, That a joint committee of the two houses be appointed, for the purpose of making arrangements for the celebration of the centennial birthday of George Washington.

On motion of Mr. *Wickliffe*, a committee of twenty-four members, one from each state, was appointed on the part of the house.

Mr. *Davis*, of Mass. moved a resolution relative to the claims of that state for military services rendered during the late war.

The house then resumed the consideration of Mr. *Everett's* resolution relative to the Chickasaw treaties—when

Mr. *Evans*, of Maine, addressed the house in reply to Mr. *Clay*, of Ala. and Mr. *Polk*, of Tennessee.

The debate was cut short by a motion to proceed to the orders of the day.

The engrossed bill to pay for David Darden's horse remains, was read the third time and passed.

Several private bills were then severally taken up and disposed of—and the house adjourned.

Saturday, Feb. 4. The resolution relative to the Chickasaw treaty was again taken up.

Mr. *Cave Johnson*, of Tennessee, addressed the house in explanation of the circumstances of the transaction—condemned, in the most explicit terms, the conduct both of the commissioners who negotiated the treaty, and of the lessees to whom the reservation of the Chickasaws was leased—yet he declared himself opposed to the inquiry.

Mr. *Pendleton*, of N. Y. advocated the resolution.

Mr. *Clayton*, of Georgia, was opposed to the form of the resolution—and offered an amendment denying that treaties made with the Indians do come within the meaning and intention of the constitution conferring the treaty making power on the president and senate; but that they are mere compacts or bargains made by the authority aforesaid.

Mr. *Whitless* then moved the house to proceed to the orders of the day, which motion prevailing,

Fourteen private bills were considered and severally ordered to a third reading and then the house adjourned.

Monday, Feb. 6. Sundry memorials favorable to the renewal of the charter of the United States Bank, were presented and referred.

The speaker presented a memorial from the Creek Indians—referred.

The supplement to the act to provide for certain persons engaged in the land and naval service of the United States during the revolutionary war, was made the order of the day for Monday next.

The act relative to the cultivation of the vine and the olive was twice read and committed.

The bill making further provision for the West Point military academy, was committed to the committee on military affairs. The house adjourned.

Tuesday, Feb. 7. Mr. *Sevier* moved an inquiry as to the qualification of voters in the territory of Arkansas. On motion of Mr. *Wardwell*, the committee of internal improvements were instructed to inquire into the expediency of reporting a bill for the survey of the entrance of Catfish creek, in the state of New York.

Mr. *Anderson* submitted a resolution to inquire into the propriety of amending the law relative to the return of destitute seamen.

A message was received from the president on the subject of the regulations of England, France and the Netherlands relative to their fisheries.

The house resumed the consideration of Mr. *E. Everett's* resolution relative to the Chickasaw treaty.

Mr. *Fitzgerald*, of Tenn. delivered a short speech against the resolution—and was replied to by Mr. *Ellsworth*—when

On motion of Mr. Polk, the house proceeded to the consideration of the apportionment bill. The question being to strike out 48,000 and insert 44,000, as the ratio of representation.

The yeas and nays being ordered, Mr. Watmough, of Pa. addressed the house in favor of the low ratio—when he had concluded, a call of the house was ordered—and on the yeas and nays being taken, there were, yeas 88 yeas 102. So the proposed amendment was rejected.

Mr. Clay, of Ala. moved to strike out "forty-eight" and insert "forty-seven"—determined in the negative by a vote of yeas, 65, nays, 127.

Mr. Kerr, of Mil. then moved so to amend the bill as to strike out "forty-eight" and insert "forty-five," but before the question was taken, the house adjourned.

Wednesday Feb. 8. Mr. Drayton made a report accompanied by a bill to prevent the separation of captains in the line of the army from their companies, for the better organization of the United States' military academy, and for other purposes; twice read and committed.

Mr. McDuffie, from the committee of ways and means, reported the following bill:

A bill to reduce and equalize the duties on imports.

Be it enacted, &c. That from and after the 30th day of June next, there shall be levied, collected, and paid, on all iron and steel, salt, sugar, cotton-bagging, hemp, flax, and manufactures of iron, cotton, and wool, imported into the United States, duties of 25 per centum *ad valorem*, and no more, until the 30th of June 1853; after which the said duties shall be 18½ per centum *ad valorem*, and no more, until the 30th of June, 1854; after which the said duties shall be 12½ per centum *ad valorem*, and no more.

And be it enacted, That from and after the 30th day of June next, there shall be levied, collected, and paid on all other merchandise imported into the United States, 12½ per centum, *ad valorem*, and no more; except such articles as are and means not thus injured free of duty, or at a lower rate of *ad valorem* duty than 12½ per centum.

The above bill (which was twice read and committed) was accompanied by a report of considerable length. When it was announced,

Mr. Ingersoll said he would avail himself of the present moment to state, that he differed *to* *calo* from the majority of the committee by whom the report had been made. It was true, he stood in a small minority in the committee of ways and means on this question, only one gentleman (Mr. Gilmore) agreeing with him in committee, in regard to the protective policy of the country. He had heard the report read but once, and had no opportunity to examine it before its introduction, and further time would be necessary before the minority would be able to prepare a counter report. He considered the report and accompanying bill as aiming at the subversion of the manufacturing interests, the great mechanical interests, and, he might add, the navigating interests too, at least so far as the fisheries are concerned.

Mr. Verplanck claimed the right to express his own dissent to the report of the chairman of the committee; he occupied a singular and solitary position; neither agreeing with the views of the majority nor minority. The report contained many principles and arguments with which he agreed; but he protested against much of it, which represents the great burden of the existing tariff laws as falling almost exclusively in heavy taxation upon the planting or cotton exporting states, whilst the northern and middle states received from it nothing but benefits. He made his personal protest now, and should hereafter make a more formal one, by a more formal report. He objected also to the expediency of introducing the bill in its present form; from the sweeping reduction of duties, it offered no satisfactory basis for the final adjustment of the present question.

Mr. Mercer offered a resolution authorizing the printing of the report of a select committee of the house of commons of Great Britain on the use of steam carriages on common roads, with the minutes of evidence and appendix attached thereto.

The house then proceeded to the orders of the day, and after passing a number of private bills, took up the

apportionment bill, the question being on striking out "48,000" and inserting "45,000."

On taking the question the motion was lost—yeas 68, nays 118.

A motion to insert "46,000" was also lost.

Mr. Fane then moved that "44,400" be inserted in lieu of "48,000."

Mr. Wickliffe moved a call of the house, which was sustained.

Mr. Adams advocated the amendment in an earnest appeal to the large states, and particularly to Pennsylvania, to sustain the proposed ratio, which would retain for the old states their present number of representatives.

Mr. Coulter replied at some length, and submitted his reasons for resisting the appeal of Mr. A. Mr. Clay and Mr. Polk opposed the amendment, and Mr. Wayne, Mr. Letcher, Mr. Carson and Mr. Slade, advocated it.

The question being taken by yeas and nays, there appeared 97 for, and 97 against the amendment.

The house being equally divided, the speaker voted in the affirmative, and decided the question in favor of the amendment.

A motion was then made by Mr. Taylor to recommit the bill, with instructions to strike out "44,400" with a view of inserting "53,000," which was finally negatived by a vote of yeas 66, nays 129.

The house the adjourned.

Thursday, Feb. 9. Mr. Davis, of S. C. reported a bill making further provision for the naturalization of aliens, twice read and committed.

On motion of Mr. L. Conflict the committee on internal improvements were directed to inquire into the propriety of making an appropriation to defray the expenses of a survey of the river Delaware, with a view to the improvement of its channel from Trenton falls downwards, &c.; for the survey of the river Raritan, with a view to the improvement of the channel from the city of New Brunswick to Perth Amboy, and for the survey of the Passaic river.

On motion of Mr. Doddridge it was resolved to inquire as to the expediency of improving the navigation of the Monongahia river.

Mr. Davis, of S. C. moved the following resolutions; which was read, and laid on the table, viz:

Resolved, That the president of the United States be requested to lay before this house any correspondence or information in his possession, which may, in his opinion, be communicated without injury to the service, showing the actual condition of our diplomatic relations with the government of the republic of Colombia; the present situation of that government, to what extent and on what provisions its authority is recognized, and such other information as may be requisite to direct the judgment of this house in relation to the estimate for the diplomatic service of the U. States, proposing an appropriation for the outfit and salary of a charge des affaires to the republic of Colombia.

On motion of Mr. Holland, the committee on public lands were instructed to inquire into the expediency of reducing the minimum price of barren lands in Florida.

On motion of Mr. C. P. White, it was

Resolved, That the committee of commerce be instructed to inquire into the expediency of providing by law, that the ships and vessels of the United States may be registered, enrolled and licensed, *de novo*; and that the said registers, enrolments, and licenses should be issued without expense to the owners or owners of such ships or vessels. And also, that said committee inquire into the expediency of providing by law, that the account of hospital money receivable from the enrolled and licensed vessels employed in the coasting trade, pursuant to the act of the 16th July, 1798, for the relief of sick and disabled seamen, shall be verified by the oath of the master or commander of said vessel.

Mr. Mercer's resolution offered yesterday, was taken up, and a debate of an hour ensued the resolution was supported by Messrs. Cambreleng, Mercer, and Davis, of Mass., and opposed by Messrs. Mitchell, of S. C. Drayton and Burnwell.

The resolution was adopted by a vote of yeas 120, nays 61.

Messages were received from the president relative to the ratification and exchange of the convention between the United States and France, and the treaty between the United States and the Sublime Porte.

The house took up the apportionment bill, and various amendments were suggested as to the ratio of representation, and arguments had thereon—the house, without coming to any decision, however, adjourned.

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 25—VOL. V. BALTIMORE, FEB. 18, 1852. [VOL. XLII. WHOLE No. 1,065

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

¶ We have thought it absolutely necessary to the period of the volume, that a considerable part of this sheet should be yielded to notices of lately passed or current events, anxious as we are to dispose of the debate on the nomination of Mr. Van Buren—this, however, must be concluded with the volume, which will end on Saturday next. To effect this, we shall issue a supplement, and present the remainder of the discussion—presuming that every reader wishes to have and preserve it entire, because of peculiar circumstances belonging to persons and parties concerned. For our part, we have had much recent occasion to wonder at the manner in which this subject has been presented to the public, in many of the newspapers; certain replies to speeches being often given, while the speeches themselves were suppressed! These things chiefly belong to persons who have entered into the business of publishing, unworthily. The regular-bred printer will not dishonor the press in this manner, unless he has received the “pieces of silver” to betray truth—and then will do “by authority,” and to any amount agreed upon, so far as the means are supplied.

¶ In the sheet of the ADDENDUM to the current volume issued with the present number, will be found, among many other valuable articles, an account of certain manufactures in Rhode Island, which will astonish even those who are familiar with the progress and extent, product and importance of the “American System,”—and how that it penetrates and gives life to all the leading employments of the American people—interlocking one interest with another, and binding all in a common prosperity—even the cotton planting! We earnestly invite a careful examination of all the reports made to the New York Convention. Such a body of momentous facts have never been laid before the public, as flow from that assembly.

And, as chairman of the Permanent Committee of the New York Convention, the editor of the REGISTER has received a copy of the report of the committee on the cotton manufactures of the United States, and it shall be published, at full length, as soon as possible. It is a most able and faithful paper—the result of a great expenditure of labor and time, and will reflect lasting honor on the chairman and his valuable colleagues and contributors of information. We shall give the results below: they will startle the opponents of domestic industry, and cheer the hearts of the friends of a system which yields so rich a harvest of prosperity to countless thousands of the free laboring classes, and confers such incalculable benefits on the American nation. It should be observed, however, that the returns are only from twelve states—Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, Vermont, New York, New Jersey, Pennsylvania, Delaware, Maryland and Virginia. It is known that there are many establishments in other states; but no returns having been made of them, they are not at all regarded in the aggregates; and these, with respect to the states named, are, no doubt, short of the real amounts.

AGGREGATE RETURNS.

Persons employed—males.....	25,251
Females.....	39,178
Children under 12.....	5,121—no. 67,550
Total dependents.....	131,489
Wages paid, per annum.....	dols. 12,155,723
Annual value of products.....	“ 32,036,760
Capital.....	dols. 44,914,984
Mills.....	no. 795
Spindles.....	“ 1,246,503
Ditto, (building).....	“ 172,024
Looms.....	“ 33,506

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Cotton used.....	lbs. 77,737,310
Yarn sold.....	“ 10,642,000
Cloth made.....	yds. 230,461,990
Weight of cloth.....	lbs. 59,804,926
Starch used.....	“ 2,070,878
Flour for sizing.....	bbls. 17,243
Wood.....	cords 46,519
Coal.....	tons 43,770
Oil.....	gals. 390,339
Other articles.....	dols. 3,890,383

The preceding includes the work, working people, and the materials consumed, in the machine shops, bleacheries and printeries.

¶ The capital above reported, for good reasons assigned, is thought to be from one-fourth to one-third short of its real amount—the *floating capital*, in numerous cases, not being added to the cost of lands, improvements and fixtures: so the real capital vested, in the states named, may be nearly sixty millions of dollars.

The spindles reported “building” are manifestly short—for there are no returns from Rhode Island, Pennsylvania, Delaware, Maryland and Virginia—the machine shops of Rhode Island, only, are competent to the supply of 50,000 annually, and there are other large establishments in Pennsylvania, &c. The operating spindles will be greatly increased in the present year—unless because of adverse events; for many new and large factories are preparing.

The quantity of cotton returned as consumed exceeds our previous calculations, being 77,737,316 lbs. or 239,000 bales of 300 lbs. each, or 214,832 bales of the average weight of 361.86-100 lbs. as the committee has, no doubt, correctly estimated them, by actual purchases; for we are told that the bales are better packed than they used to be. The committee has a knowledge of thirty mills not included in the returns, because they had no accurate report from the states in which they are located, and it is possible that many more exist. So it would seem reasonable to believe that the amount of cotton consumed in our own factories, last year, was not less than eighty millions of pounds.

The whole export of cotton was

In 1809.....	53,210,000	} Before the war.
1810.....	93,874,000	
1811.....	62,186,000	
	3)209,270,000	
Average.....	69,756,000	
1815.....	82,998,000	} After the war.
1816.....	81,747,000	
1817.....	85,649,000	
	3)250,394,000	
	83,464,000	

The first period of years 10 millions less, and the last 34 millions more, than the present amount consumed in the American factories! It would not be rash, we think, to say, that the consumption of the present year, (except because of adverse events), the domestic market, will take off 100,000,000 lbs. cotton! But the present accounts are sufficient to gratify the most sanguine friend of domestic industry, without regarding what they will be.

It may here be well added—that, for the last two years, or more, the demand for cotton for the American factories, has established the price of crops then coming in, and at higher rates than foreign orders were limited at—some gentlemen of New Orleans say from 1 to 2 cents per lb. and we are told that, in numerous cases, the earliest supplies are taken up for the home market. Is this nothing?—And American cotton goods are sold

for a little more than one-third of what the foreign cost us in 1818.

But we have not room for further remarks. We recommend this bulky of facts, now for the first time presented to the American public, to the serious and solemn consideration of southern gentlemen—while baring that they are too much heated, or too far committed, to believe, "though one arose from the dead," to show the folly of the conclusions they have arrived at, in respect to a protected industry. We see that almost 150,000 of the free people of the United States are subsisted by a manufacture which consumes nearly one-fourth of the whole product of cotton, and gives a value to that fourth almost equal to that of the entire crop; so that the interest in cotton spinning is equal to the interest in cotton planting, to say nothing of the market which the manufacture affords to the farming interest, which is so restricted, if not absolutely denied, in all parts of the old world.

We shall conclude this brief article by giving the names of the committee on the manufactures of cotton, and the states allotted for their enquiries. They need not any man's enforcement.

For Maine and New Hampshire—Lloyd W. Wells and John Williams.

For Vermont and Massachusetts—Robert Rogers and P. T. Jackson, chairman.

For Rhode Island—James D'Wolf, James F. Simmons and Charles Jackson.

For Connecticut—J. H. De Forrest.

For New York—E. B. Shearman, James Wild and Richard P. Hart.

New Jersey, Kentucky, Ohio, Indiana, &c.—David Holman and Mark W. Collett.

Pennsylvania, Delaware and Tennessee—Lewis Wain and A. Brackenridge.

Maryland and Virginia—Columbus O'Donnel and James W. McCulloch.

No returns from the states printed in *italic*.

☞ We have a copy of the memorial of the "Free Trade Convention," held at Philadelphia in September last. It takes fifty-five pages of large octavo! What can we do with it? It must, at least, be laid over for a considerable time—because of many previous engagements.

☞ I have an exceeding strong desire to take up the "Exposition," and the "Exposition of evidence!" which have been published at Philadelphia and Boston, respectively—and never were papers presented that might be more completely keel-hauled, or better deserved to be mistle-keas committed or willful errors made—but it is not possible that time or room should be given to this matter now. The chief foundation of all that is said about iron, is from the statements of an *Englishman*, Mr. Sarchet,—no native American dares make any movement on that subject, but as he lends—being a fine specimen of a free trader—the sulphureous PYTHIA of British makers of iron—whose opinions have the authority of inspiration in an American senate, invited to a consideration of American interests and American feelings—the points made concerning the woollen manufactures appear chiefly such as Mr. Cumbreleng has often presented, and especially when he CREATED, by a congressional report, nearly nine millions of tons of vessels for the British coasting trade, that that of his own country (though larger than the British), might appear insignificant!—and what is said about the domestic production of sugar seems mainly to rest upon the opinions of a *West India sugar planter*, and so on, perhaps, with respect to every other leading subject touched. If those concerned in the latter have any feeling, they will feel much ashamed of themselves on seeing a review of their "evidence" by a writer in the "National Intelligencer," who signs "Hamden." He has rendered that part of the "exposition" a thing only to be laughed at—and so will other parts of it be speedily rendered.

How WILL IT WORK? It has been generally stated, that the price of every article, the manufacture of which is protected by our tariff, has declined—sometimes said

that other manufactures pretty nearly retained their old prices; the object of which was simply to show that increased supply had its natural tendency to reduce price in the first class of articles, while the want of competition kept up the former value of the latter. We hope soon to publish an extensive and curious table, that will show these operations with irresistible power.

We meet with the following in a furious southern "free trade" paper, as excerpt from the "Salem Gazette," a thorough-going advocate of that visionary thing—a creature of theory, found only in the books—and unpractised by any civilized nation in the world, having sea-ports and ships.

Messrs. Editors.—To show the entire absurdity of the idea that the protective system of this country has been the cause of the great reduction in prices, which has taken place since that system went into operation, please publish the following list of prices of articles before that period and at the present time, upon which it cannot be pretended that the tariff has had any effect:

	1816.	1851.
Wool beef, per bbl.	\$13 50	\$ 8 52
Coffee, short price, per lb.	20	11
Cotton, per lb.	29	9
Codfish, per 112 lbs.	5 00	2 75
Mackerel, per bbl.	14 00	5 52
Hog's lard, per 100 lbs.	17 00	10 00
Pork, mess, per bbl.	23 00	13 75
American brown soap, per lb.	15	5
Pepper, black, per lb.	29	15½
Tallow, per lb.	18	8
Tobacco, Kentucky, per lb.	14	4½
Tea, souchong, per lb.	85	65
Wine, Malaga, per gal. short price	97	39

☞ This is on the "high price"—but it is no matter. The first column, added up, is \$75 37, the second \$42 25—and it seems that the prices in 1816 were eighty-five per cent. higher than in 1851. Very well. But the south contends, and most decidedly, that it is the tariff which has reduced the price of cotton. Let us see. In 1823, the year before the "abominable tariff," according to the treasury tables, we exported 173,723 (100 lbs. cotton, valued at \$1,445,000 dollars, or about 1½ cents per lb.; and in 1850, no less than 298,459,000 lbs. cotton, worth 29,674,000 dollars, or 10 cents per lb. Now, if the facts intended to be so gravely set forth in the "Salem Gazette," are worth one straw, they will show that the present price of cotton, which is about 10 cents, should be only a little more than six cents per lb. But being ten cents, it is manifest that cotton, through such a mighty advance in its quantity has happened, instead of declining 85 per cent. has had a rate of depreciation at only 17½ per cent.

But will the omnipotent cotton interest PERMIT it to be believed, that cotton should be subject to the same laws which regulate the price of all other commodities? We have taken the value from the year before the tariff which was to have destroyed every thing, and two years after the second tariff which was to have been much more wicked than the first. How does it work?

The tariff of 1816 had nothing to do with the price of articles, even if others have had, because of its limited operations, and the business of nations had not then settled down into a peace-establishment.

MR. CLAY'S SPEECH ON THE TARIFF. The public curiosity is greatly excited to see Mr. Clay's late speech in support of his resolution concerning the tariff, and in reply to Mr. Hayne. Those who heard it, and of either party to the question, speak of it as an unsurpassed display of argument and oratory; and, perhaps, have raised the public expectation too high—for, though all the argument of Mr. Clay may be retained and given on paper—it is impossible to present any thing like a correct view of the eloquence and power, the clear and harmonious voice and energetic manner, by which that argument was forced on the minds of a dense and delighted audience, and driven home to the minds of all persons open to an examination of the great truths expounded—for the words which he uttered caused the hearts of many to burn within them; and there is a boldness and self-collectedness in the orator, a daring

frankness and freedom of remark, that are peculiarly his own—which must be *seen and heard*, if appreciated justly; heightened by flashes of wit, promptness in reply, and a countenance that no one can look upon without catching some portion of the zeal with which he supports the great "American System." For instance—in alluding to the government persecutions he had suffered, he exclaimed—"I neither expect the justice of this administration, nor desire its mercy. I scorn its wrath, and I defy its power." And when he had spoken of Mr. Calhoun's opinion in 1816, and the latter replied, "that was a tariff for revenue, not protection; the constitutional question was not debated." "No, sir," rejoined Mr. Clay, "for it was not then considered debatable."

And when he referred to the natives of foreign countries, who had taken such a leading part against the system, he said "the Irish made the best true-hearted Americans." So naturally indeed do they fall in with us, that he had been sometimes tempted to believe that Ireland did not naturally belong to the dominions of Great Britain, but that having been struck from this continent by some convulsion of nature, it had drifted into the vicinity of England, and there held fast to her government!"

As the speech abounds with statistical matter, a due preparation of a report of it requires considerable time; but we learn that it will probably be ready for publication in the course of the ensuing week; and we shall take the first opportunity of presenting it, entire, to our readers, as we did that of Mr. Hayne.

MR. McDUFFIE'S REPORT, &c. In our congressional journal last week, we inserted Mr. McDuffie's bill for reducing the tariff, and have since received his report, which shall have a place when permitted to make room for it. If that bill should pass, there would not be one specie-paying bank in the United States, in three months as to the period of its prospective effect should reach Liverpool. That is, on the 30th September next, every dollar, accessible through the banks, would proceed to the English "market"—the bank of the United States might be the last, but would surely stop payment.* At present, because of the excessive importations of last year, a greater degree of distress, for the want of money, prevails, than has been experienced for many years. The currency has, probably, been contracted more than \$20,000,000 within the last six months, and is still contracting—as it must, so long as bills on England bear their present high rate of advance; because that specie, the basis of our currency, is exported, and the quantity on hand is rapidly diminishing; the returns of the bank of the United States showing a reduction of nearly five millions—or more than one third of its coin, in the time just stated; and hence thousands of projected improvements are stopped, and the mechanics feel that pressure which bears down the dealers, which must soon reach the farmers, and afflict every class with its pestiliferous influence. There is no escaping it. It is probable that the reduced value of property, on account of these things, far exceeds the whole cost of our foreign importations of last year; and yet the influx of British goods continues. Where this deranged state of business is to stop, no one can tell—it cannot, until by the poverty of the people they shall be unable to pay for foreign goods, or there shall be some revival demand for the products of their own labor. Such is the result of a full public treasury—such, in a great degree, the effect of frauds at the custom-houses, encouraging foreign productions and diminishing the demand for our own. We repeat it—the want of money is most seriously felt—the banks cannot relieve it; because that, to pay for English goods, the foundation of the currency is drawn from them. Large sacrifices of property are every day making, and credit is pushed to the utmost extent that it will bear. Many must become bankrupts, that would have been entirely competent to meet all their engagements under ordinary circumstances—for there is not nearly money enough afloat to meet the general demand for it. In the present state of the country, hundreds will be forced to feel the important

truths proclaimed in the "report on the currency," inserted in the extra sheet that we published last week. That able report, we are sorry to say, must now come home to the firesides of many of our most worthy and most useful citizens.

THE PRESIDENT. There are frequent and rather strange accounts in the papers as to the real state of the health of the president: while, on the one hand, he is represented as very hale and hearty—full of life and spirit and zealously attending to business, it is said on the other that he is rapidly fading, and shewing many marks of imbecility, in body and mind. The "Richmond Enquirer" has almost as many bulletins of his health, as Mr. Kitchie used to give us about Mr. Crawford's in 1834; and in a late number publishes two letters from Washington, the first of which, after reporting "favorably of the health and spirits of the president," says "the recent storm, or rather deep-laid scheme to destroy him, seems to have given him new life and spirits!"—and the second letter contains this sentence,—"The rejection of Mr. Van Buren is only the first act in the drama; an attempt to send the bank of the United States bill to the president, will be the next." The writer adds, "I have no doubt he will reject it, if it ever reaches him." The third and last act of the drama, the letter states, will be "an attempt to crowd upon the president as many evils and evils as possible."

But the Philadelphia "Sentinel" decidedly says, that if the bank bill shall pass, the president will not refuse his sanction to it.

As to the president's health, the United States' Telegraph says—

"There never was a time when the people were so gulled; so betrayed; so deceived. They are made to believe that they are about to choose a president for the next four years, in the person of Andrew Jackson; when, in point of fact, every sensible man here, of every party, knows that, instead of choosing the next president in gen. Jackson, for the next term, as the people suppose, they will choose him in the person of the vice president, whoever he may be! So inform in gen. Jackson now; so little prospect is there of his living through the next term; that the prodigal crew who are living upon his influence, and are controlling the movements in the election of the president and vice president, are trembling lest he should expire before the period of the election arrives.

"We feel it our duty to speak boldly. Every one who visits him, is struck with the fact, that he is fast sinking; and that, if possible, his mental faculties are giving way faster than his physical strength."

"Who shall decide when doctors disagree?" While some assert that the whole object of the general is to secure the succession to Mr. Van Buren, and that he would retire immediately after the result of the election, if favorable to his views; others speak boldly of the firmness of his bodily health and intellectual vigor! But this is certain, that there is a very unusual anxiety about the vice presidency, on the part of the friends of the administration; an honorable office, truly—but not hitherto regarded as one of sufficient political importance to divide a party—or to call a convention to select a candidate. The latter is, for the first time, arranged. Why?

MR. MONROE'S MESSAGE OF 1832. The "New York Journal of Commerce" gives a curious extract from the "London Metropolitan" for January, being a review of a recent work by Mr. Stapleton, who was the confidential secretary of Mr. Canning, which states as a fact—that Mr. Monroe's famous protest against the interference of the "holy alliance" in the affairs of continental America, or rather the former dominions of Spain, was sent forth under a "full understanding between him and Mr. Canning; that the ground assumed, was to be maintained, if necessary, by the combined force of the British and American arms."

It is a curious paper, and should have a place, had we a little room to spare from current matters. That part of the message of Mr. Monroe was received with the highest approbation by all the liberal portion of the

* Unless this bank, and the rest, should make ruinous importations of coin.

people of the old world, and they thought that it was a death-blow to the progress of despotism in the new.

GEORGE WASHINGTON. In regard to certain proceedings at Alexandria, preparatory to a celebration of the centennial anniversary of the birth day of WASHINGTON, it appears that the charter of Alexandria lodge of ancient York Masons, was granted, in his name, as its first master in 1798, by the grand lodge of Virginia.

☞ We have been compelled to abridge the interesting proceedings had in congress, in relation to this anniversary, to a simple notice of the results agreed upon; but have laid them aside for future preservation in this work. It was agreed to deposit the remains of the "father of his country," with those of his lady, in a vault which had been prepared in the centre of the great rotunda of the capital, (on the responsibility of the architect); but Mr. John A. Washington, the proprietor of Mount Vernon, declines his consent to a removal of the remains of his honored relatives, &c.

COLONEL BENTON. We do not mean to say any thing personal of this gentleman—but the following remarks have so much *quickness* in them, that, perhaps, we shall be justified in presenting them:

"The *Village Record*, with reference to the frequent and sometimes peremptory defeats of his propositions offered to the senate, says—'He labors like a man at a pump, without any valve to the bucket; ever and aye with mighty diligence, and accomplishes—nothing.'

And a correspondent of the *Pennsylvania Wagon*, noticing one of his many speeches about the U. S. bank, says—"col. Benton is now *currycombing** the bank!"

In one of these speeches, as we observe by the reply of Mr. Dallas, the colonel had said that the issues of the checks or drafts of the offices of the bank of the United States amounted to thirty or forty millions of dollars. Now the whole circulation of the bank—(as every body ought to know who says any thing about it), was only 23,300,000 in August, last—and has been much diminished since, as it needs must, because of a subsequent abstraction of several millions of dollars from its vaults, to pay for English goods, and embarrass every branch of business in the United States, by a sudden and severe contraction of the currency. But Mr. Dallas said that the amount of these checks or drafts did not exceed five millions. In another point, as to the draft of specie from the west, the colonel was equally unfortunate—but he lately spoke of thirteen millions of bushels of foreign salt consumed in the west, and the more willingly submitted to these knockings-off of seven eighths or nine-tenths of his magnificent aggregates!

THE CONSTITUTION. Among other proceedings had to act against the senate, is an attempt to shew that the members of that body, who voted for the rejection of Mr. Van Buren, represent a much less number of the people than those who voted for his nomination. If a "reform" of the senate is desired,—there can be no objection to such a statement of facts; but their influence would over-turn a leading principle of the constitution,

*"Currycombing!" It is a word happily coined to suit a particular state of things, and applicable to the following extract from one of the colonel's speeches about the bank:

"It carries all before it! It bestrides, as a colossus, the prostrate charter which congress gave it. It claps a foot upon a word here, and a phrase there—rears her gigantic form above all law—and boldly places an empire at defiance! And yet there are people to talk about new restrictions to bind this gigantic power; as if it was in the destiny of man that the weaker should ever bind the stronger party! No, sir! We are engaged with the real presence of that fabled monster—once believed to be the fabulous creation of frenzied poets—that monster which no art nor power can ever bind!—Which changed his form, at will, from bird to beast—from lion to serpent—from serpent to water—from a river of flowing water to a column of blazing fire! and thus eluded, in the act of receiving them, the grasp and catch of every chain that was thrown upon him."

and have a direct, if not inevitable tendency to dissolve the confederacy, which is represented in the senate, having no manner of regard to the people, except of those particular parts of them located in the several states,—to the legislatures of which, only, are the senators individually responsible. But there are several other cases under the constitution, in which persons representing majorities of the people, may not enact the laws or prescribe the conduct of government. One of the most powerful causes that led to the election of general Jackson to the presidency in 1828, was, that, in 1824, he obtained a greater number of electoral votes than Mr. Adams, who was chosen president by the house of representatives, voting by states; and yet the electoral votes obtained by Mr. Adams in 1824, represented a larger number of the people than the higher electoral vote of gen. Jackson, as will soon appear. And, though the general had 178 electoral votes in 1828, and Mr. Adams only 83, there was not a large balance of the people in his favor—for we must deduct 27 or 28 electoral votes because of the representation of slaves, (who are not of the "people"), and then 6 or 8,000 votes, changed in Ohio, Kentucky and New York, would have given Mr. Adams a majority of the electoral votes in 1828. And, on account of the slaves, a law may pass the house of representatives by a majority of twenty votes, and yet be passed in sheer opposition to the will of a decided majority of the people of the U. States. It is not worth while to make any comments on these things. The constitution was, of necessity and wisely, made up of concessions. Each state yielded a considerable portion of its own sovereignty, that a national government might be built up, for the common defence and general welfare."

By the constitution, the senate have, (and ought to have), the same right to reject that the president has to nominate—else the latter would have an irresponsible and kingly power. The senate has seldom exercised its authority in wantonness, or on mere party grounds—and it may not be presumed that it ever will. Very few of the leading nominations of the present president have been strongly opposed, though the expediency of many of the removals might well have been questioned; and in general, it can be easily conceded, that the president alone may be more liable to mistake the character and conduct of individuals than a majority of the senate, men as well capable of judging as himself, and of as lofty standing. The body representing twenty-four states may as rightfully complain of improper nominations, as the president of improper rejections. The right and the power, and the responsibility in either, is exactly the same. Years ago, the senate unanimously rejected the nomination of a foreign minister, by president Jefferson—Mr. Short.* It was not then suggested that the president was treated with "contempt." The result shewed that he had made a bad selection.

It is proposed in the official paper, the "Globe," and, of course, loudly followed in many others, to cut down the senate to two years, and strip that body of the power of confirming or rejecting nominations—for the sole cause that Mr. Van Buren has been rejected. So the constitution is to be changed, and a sovereign power given to the president, because one man has been disappointed! It is like the tale of the witch, who summoned all the fiendish spirits from the lowest depths of pandemonium, to help her to find a little dog that she had lost. But is it forgotten that gen. Jackson, being a member of the senate, voted against the nomination of Mr. Clay, as secretary of state, when offered by president Adams, and would have rendered to Mr. Clay the same result that has befallen Mr. Van Buren, if he could? But, and it is to be said, that general Jackson suspected or believed in a "bargain" made for that office between the president and Mr. Clay—how stands the case now between himself and Mr. Van Buren, as minister to England? Mr. Pointexter stated in the senate a fact which had long been understood by the people, that, previous to Mr. Van Buren's resignation of the office of secretary of state, a "bargain" had been made

*Mr. Jonathan Russell nominated by Mr. Madison, was rejected in 1813—Mr. Giles being one of the majority against him.

for the English mission,—which the late correspondence between Messrs. Branch and Forsyth establishes. If right to oppose because of one bargain, it must be right to oppose because of another.

But there were other reasons. It is not our design to go into the merits of this case; but the preceding facts struck us so forcibly that we thought it right to mention them, for public consideration.

It is very severely charged in certain newspapers, that Mr. Calhoun has coalesced with Mr. Clay, to reject Mr. Van Buren; but when the thousand times more important vote on Mr. Clay's resolution as to the tariff, shall be taken, that "coalition" will not appear; but a new one become manifest between Mr. Clay and Messrs. Wilkins and Dallas, of Pennsylvania, drawing in also, perhaps, Messrs. Dudley and Murcy, of New York!

Having mentioned that meetings had been held at Albany, New York and Philadelphia to condemn the senate, we should also state that great assemblies of the people have been held in the two last cities to support the senate, and deny any privilege or prerogative in the president to make appointments without the consent of that body!

THE TRUTH. The Richmond Whig, when alluding to the speech of Mr. Hayne, says: "In reading Mr. Hayne's speech, let the reader set down half the evils he enumerates as the effects of the tariff, to rhetorical flourish, and a southern imagination—and three-fourths of the other half to slavery; which, by rendering manual labor degrading in the eyes of those who consider themselves well born, causes southern youth to be brought up in idleness, and of course in habits of dissipation and extravagance. Trace the principle in its operation to encourage idleness and worthlessness, and repress exertion, and it is plain enough why, in the south, we see so many once opulent families in ruins, so many gentlemen of pedigree in penury, and the absence of that general prosperity so conspicuous and remarkable in every non-slave-holding portion of the United States—every portion, we say, without exception. This is a truth which every man in his own bosom acknowledges. But for its existence, we should never have heard a murmur against the tariff, upon which is poured all that discontent which the pressure of misfortune engenders, and which naturally seeks to vent itself upon something, which it calls the cause, whether truly or falsely. Take the most exaggerated estimate of the tax which Virginia is supposed to pay under the tariff, divide it *per capita*, and it will be found most inconsiderable, most insufficient to account for a nation's decay. It is not a political, but a moral cause, which is at the bottom of southern decline."

More important truths were hardly ever before compressed in a less number of lines. We have often had unpleasant feelings when such men as Mr. Hayne and Mr. McDuffie, (of vivid imaginations, but, as we would think, incapable of persisting in manifest error), have attributed the downward course of some parts of the southern states to the oppressions of the tariff. The groans of the people of these states were as melancholy, and their screams of distress as piercing, before the passage of the tariff law of 1823, as they have been since; and we shall, some of these days, extract the lugubrious passages from the late speech of Mr. Hayne, and contrast them with the speeches of other southern gentlemen in congress in 1822, 1823 or 1824. The facts, as stated, are precisely the same! Mr. Hayne may have dressed up the tales of misery in better words; and, perchance, there has been an accumulation of causes for them—for things have been getting worse and worse in certain parts of the south—but the substance of all that he said has been "many a time and oft" delivered on the floors of congress. It is slavery that has pulsed and halt depopulated lower Virginia, South Carolina, &c. and it will most assuredly render them as "desert places," unless something is done to arrest this overwhelming evil. How is it now? The deer has been hunted for many years in parts of Virginia that once had a thrifty population, and

palaces have long been abandoned to bats and owls.* The tariff, with all the powers of mischief ascribed to it, has never yet been accused, (nor has it had time,) with growing forests of pines, and dilapidating substantial brick houses! The productive people, the thoughtful and the enterprising, have fled from the desolation that they saw before them, and abandoned the places of their nativity to the masters who own, and the slaves who disgrace, the industry of freemen. The late debates in the legislature of Virginia concerning their colored population, has brought out a mass of facts which the *autocrat* of Virginia, and all who wear the "collar" that he assigns them, and changes at his own good pleasure, were willing to have sent to the ——— mischief, for having dared to hint at, a few years ago; but now Mr. Ritchie has been graciously pleased to admit that "something must be done!" We are glad that even now he is brought to a confession of the retrograde movement of the "Ancient Dominion," and partially admitted the real cause of it. The truth is—the poor free white man is an ass, if he remains in a district of country in which he is dishonored, and where he is, as it were, daily called upon to defend that interest which depresses him to a rank only one degree removed from that of the negroes who surround him; but he seeks a new home, where labor is respected and rewarded, and he feels himself to be a citizen. There is hardly any part of Europe in which the poor are more ignorant than in certain old districts of our country, which abound with slaves. But we shall, as soon as we can, take up the debates in Virginia, and hold up these things fully to the public admiration.

And how is it, that Eastern Virginia is so prostrate and distressed, and Middle and Western Virginia so erect and thrifty? The laws of the state, and of the United States, which affect either, are the same! The tariff is as much a "curse" beyond the reach of tide-water, as upon the lower rivers of the states; but in one we see population declining and wealth disappearing, and in the other population advancing and wealth accumulating—fields are not deserted nor places turned into owl-roosts. The last number of the "Genius of Liberty" says—"but four suits have been brought by the office of the Valley Bank at Leesburg, within two years last past, although the bank has done an extensive and profitable business. This is as it should be." And we hear of this people wishing to make roads and canals, and know that they live on the fat of the land—and in peace. Are these different conditions the result of chance? No—the farmer of western Virginia holds his own plough, and the planter of eastern Virginia drives his deputy. The same things exist in the western and eastern parts of North and South Carolina and Georgia. The people of the two parts are as essentially different as if they belonged to widely separated states; the one is bold, hardy and industrious—the other rash, inefficient and lazy. The strength of all the southern states is in their western districts, in which there are few slaves.

And how is it that we have so many doleful accounts about the cotton planters of South Carolina? Is not the product of Louisiana, Alabama and Mississippi, &c. the same in its general character, and as likely to be affected by the tariff? But it is well known that in these states the cotton-planters are among the wealthy and thrifty of the people: they say that they can make cotton for five cents, or even less, per pound, while the planters of South Carolina are starving at nine and ten cents. Alabama, but yesterday a wilderness, contains 309,206 persons, and is increasing mightily in wealth and power. Her great product is the same as that of South Carolina.† We do not hear of misery in this

* There are, probably, more ruins of houses to be seen in lower Virginia than in all the New England states, and New York! It is, indeed, rare to meet with a heap of ruins there. Houses decay in the first as well as the last mentioned section of our country—but in the one the remains are gathered and preserved for new buildings—in the other they are not wanted.

† South Carolina contains only 257,898 of the people of the United States, and shows an increase of only 26,000 since 1820—Alabama contained 190,171 of the people of the United States in 1830, showing an in-

state. The other day, 90 negroes belonging to the estate of a person deceased, old and young, sick and well, males and females, were sold, and in families, for the great sum of \$41,031 dollars, near Tusculooma. The cotton-planting then, cannot be a bad business in Alabama! But there are good reasons for this. Alabama is peopled by enterprising and industrious persons, who have been cast out of other southern states by the fear of poverty, and the examples of prodigality and waste set before them, (which they must have imitated or have lost their grade), and they do not waste millions of their earnings in the north, as the planters of South Carolina do, nor load themselves and their wives and children with foolish things. I once saw a puny little girl, and imbecile, as it appeared from refined laziness, so decked out, that a person said she had one hundred bales of cotton round her neck!—alluding to the cost of the jewels that agreed not with the color of her skin; and, as, perhaps, that exhibition cost her father \$5000, which he ought to have expended on his own plantations—what had he to do, when dunned for money that he could not pay, but to curse the tariff, and declaim against the high price of negro cloths and cotton bagging!

But to return a moment to the point from whence we started—the complaint of "hard times" is an old one from the south, as we shall take an opportunity to show—and the cause of complaint will go on to increase in the parts of the country referred to, until, we do not know what shall happen—unless "something is done" to prevent free laboring white men from abandoning it. It is the amount of *these* which, like the overflow of the Nile, fertilizes the soil, and keeps the sands of the desert at bay.

SUBSISTENCE. In all questions of political economy, the *cost of subsistence* is an important consideration. We see it stated that returns from all the counties in the state of New York, except one small one [Queen's] give an aggregate of 15,564 persons relieved or supported as paupers, last year; of these 2,795 were *foreigners*, 419 lunatics, 224 idiots and 30 mutes. The entire average expense of supporting each person in the poor houses was \$33 28 a year, or 64 8-10 cents a week; but this does not include the value of their own labor, for there are attached to the poor houses a considerable quantity of land. One dollar a week, then, would appear to be about the average personal cost of the paupers. The total value of the poor house establishments in the state is \$830,350; but many of the counties have not yet made such establishments, though a great saving is shown because of them.

The report of the trustees of the poor of Baltimore city and county shew that the cost, per head, was 37 dollars 63 cents in 1826, and has been reduced to \$25 92 in 1831. This includes all charges, except interest payable on monies due for the property on which the poor house is located.

This great reduction has been caused by the increased productiveness of the farm, and the quantity and value of articles made up or manufactured in the house, and the product of many articles sold. Those able to work are fully employed, and various branches of business are fitted to all able to labor, without oppressing them. The idle and the lazy find no resting-place in this establishment. The monthly average of the city papers for 1831, was 433 nearly.

THE SUPPRESSION VERT. Whenever certain persons have occasion to speak of the negotiations of Messrs. Van Buren and McLane about the British colonial trade, they always refer to THE West India trade. In a late number of the "New York Evening Post," it is proudly said that 520 American and 70 British vessels arrived at that port from the West Indies. Why not tell how many of them were from British West India ports, and how many of *these* were under the American flag? Such facts would be "secrets worth knowing." But we shall

erase of about 105,000 since 1820. And the growth of cotton in the latter is rapidly gained an equality with the crop of South Carolina, and will soon have the greater product,

have them by and bye—and it will surely appear that our navigation has received much injury from the boasted arrangement of the gentlemen named. On this subject we meet with the following, as extracted from the "London Morning Herald"—

"Our attention has been called to an article in the New Brunswick Herald, on the West India trade. The writer, who is evidently well acquainted with his subject, endeavors to show, and we think does show, that *while the trade with the United States was indirect, the navigation was in the hands of the Americans, and that our government, in concluding the treaty with America, have forced the trade from American hands into those of British ship-owners.* Our government appears to have had another object in view—namely that of imposing such additional duties on the direct trade to the West Indies, with certain exceptions, as in effect to be prohibitory. By this means the United States' produce is forced into our North American colonies, whence it is transported in British bottoms, duty free, to the West Indies. It appears, indeed, pretty clear to us that brother Jonathan has been, for once, overreached by father Bull, who, as Mr. Niles, in his Register, observes, has aimed a blow at the prosperity of the navigation of the nation, and at the prosperity of the state of New York, so far as it is to be effected by a diminution of its revenue from the canal."

A reference to the treasury tables may throw some light on this subject, as to past times—and if we had those for the year ending the 30th Sept. last, the value of this trade would be clearly discovered. That it has rendered injury to the United States, we have no manner of doubt; and are assured that those who have been engaged in the general West India business in Baltimore have found it so. A call for the arrivals and clearances, shewing the character of the vessels, and the quality and value of their cargoes, for the year ending 31st December, 1831, (if made by the senate), as to the principal ports in each state, would afford the means of preparing important comparisons, as to the trade with the West Indies, at large. Before this arrangement, 110 British vessels arrived at Boston in one year—and in the last year 566 such foreign vessels arrived. We suppose that the life has happened at nearly all our principal ports, though we see it said, under the head of "West India trade," that "a writer in the Norfolk Herald, states the clearances to have been at the port of Norfolk—

For 1829, 84
1831, 157

"In 1829, the British West India ports were closed; in 1831, they were opened, and of the 157 clearances of this last year, *seventy-nine were to British West India ports*; if these ports had been closed, there would not have been much difference between the two years."

But this—like the statement at New York, leaves us in the dark. We know not if *all* the clearances are included in both years—nor is the amount of American and British vessels stated, as to the clearances for British West India ports. Why conceal that very thing which it is the most important to know?

The New York *Whig*, in reference to this subject, says—

"In order to correct some of the false impressions, which the statement in the Courier and Enquirer is

* That is, the statement as to the arrival of 520 American, and 70 British vessels from the West Indies, which we met with in the "Evening Post" but seems properly to belong to the "Courier and Enquirer." We say it properly belongs to the last named paper—in which a certain thing charged against "senator Benton," of Missouri—the affair between himself and his brother, with general Jackson and his party, at Nashville, if we remember correctly, was peremptorily denied, because that "senator Benton," then in New York, had pledged his honor, or something else, that he did not do that thing. And the "rewarded" editor, perhaps, did not tell a lie—for the "senator Benton" that he meant was a member of the legislature of New York!

Again—and just fitted for the occasion. The New York Courier and Enquirer lately published the following in justification of the instructions of Mr. Van Buren to Mr. McLane, about the West India trade:

calculated to produce; we will state a few facts, resting on documentary evidence, in which the proper discriminations are made, and which are calculated to lead our readers to a right judgment in this matter.

"During 1823, '24, '25 and '26, four years, direct trade with the British islands was open, and the value of it was as follows:

1823.	1824.	1825.	1826.
\$1,617,845	\$1,750,703	\$1,633,574	\$2,078,871

"During the same four years, the whole West India trade including the preceding, was as follows:

1823.	1824.	1825.	1826.
\$8,984,299	\$9,270,642	\$9,863,172	\$10,808,376

"This shows an average amount of our whole West India trade for four years, of \$9,731,724 a year, when the trade with the British islands was open and direct.

"During the next four years, 1827, '28, '29, '30, the direct trade with the British islands was suspended; but let us see what the whole of our West India trade amounted to, during that period:

1827.	1828.	1829.	1830.
\$10,504,076	\$9,380,920	\$10,128,002	\$10,122,194

"This shows an average, for these four years, of \$10,033,048 a year, while the direct trade with the British islands was suspended, which is an average of \$301,324 a year more during these four years, when the West India trade was lost, as the Courier and Enquirer would vainly have supposed, than during the four years when it was possessed.

"Now, what does all this show? Why, clearly, that while the direct trade with British islands was suspended, they did, nevertheless, continue to draw their supplies from this country, through the neutral ports of St. Thomas, St. Bartholomew's, Martinique, &c. &c., and our West India trade was increasing in value.

"But this is not all. While, during the suspension of the direct trade with the British islands, our whole West India commerce was growing in value, it was all carried in our own vessels. By the new arrangement, British vessels now participate in the carriage of this commerce; British merchants take a large and growing portion of the freights that were, during the 'loss' of the trade, paid to our own merchants; and British seamen are taking wages that were, otherwise, be paid to our own hardy mariners. The Courier and Enquirer says 'only' 70 of the arrivals at this port during 1831, are British, and 520 are American. If it had not been for the arrangements made by the Jackson cabinet, there would not have been one British arrival; the whole 590 would have been American. Our own vessels would have all the carrying. It is in this view, that the friends of Mr. Adams' administration consider this Van Buren arrangement, 'an injury to the country.' It is an injury to our country. It has not enlarged our commerce, while it has diminished our carrying trade; and in reference to the higher interests of national

"A case in point.—When England negotiated for a peace with France, during the time of the first consul, the proposal failed. When Pitt was left out of the ministry and Fox succeeded, he sent an ambassador to France and instructed him to say that a change of ministry having taken place, the French government must not allow the errors of the late ministry to affect the present negotiations. The treaty of Amiens followed. This was done by the proudest nation on earth, and no one complained. See British state papers."

On which the "National Intelligencer" of the 13th says—

"Now, the truth is, Mr. Fox was not minister of England at the time of the treaty of Amiens, nor until four or five years afterwards. The treaty of Amiens was negotiated under the ministerial auspices of Lord Sidmouth, (Mr. Addington,) Mr. Pitt being then not in the ministry, but not being considered as in opposition. If Lord Sidmouth gave any such instructions to the British ambassador at Paris, we would thank the author of the paragraph to tell us where they are to be found. Let us see the particulars of his 'case in point.'"

[The neglect to give the volume and page, satisfies us that the case in point was manufactured for this occasion. It was too important a matter to have been inserted so slightly—if genuine.]

honor, while it has restored nothing that was lost, it has lost what nothing can restore."

"THE CABINET COUNCIL." The Harrisburg Intelligencer of the 9th inst. (Feb.) contains a long account of the proceedings said to have been had at a certain cabinet council held at Washington, when the rev. Dr. Ely and the rev. Mr. Campbell were present. It is a bold statement, and, surely, a very strange one, it true.

THE NAILS have been much interrupted on the road between Philadelphia and Baltimore during the present winter, and this always will be the case, when the water communication is stopped, unless the power shall be discovered, and the will exercised by the government of the United States, to make certain parts of the road; which passes through a poor and thinly settled country, unable to make and keep up a good road—and the general travelling upon it would hardly preserve it in repair, it made.

DOGS AND SHEEP. The "Village Record" contains a full statement of the amount paid for the dog-tax in every township of Chester county, Pennsylvania, and of the damages paid for sheep killed by them. The account, in the whole, is in favor of the receipts. In Brandywine township the damages paid were \$275 87—received \$72 85; in Uwchland 179 15 paid, and 87 49 received, and so on. The sum of the payments, for the last year, were \$2,542 06½, and of the receipts from the dog-tax \$2,622 19.

PITTSBURG. The Gazette enumerates twenty-one steam vessels which have been built and fitted at Pittsburgh, and its vicinity, in the last season, and furnished by the factories and work shops of that bustling city; and yet the list is not believed full! The editor thinks that the great sum of five hundred thousand dollars was last year expended at Pittsburgh, in building and fitting steam boats, only!

In the list, the "Mohawk," of 555 tons, is the largest, and cost 33,000 dollars; but the "Henry Clay" of 482 tons, cost 35,000 dollars. The length of the keel of the latter is 164 feet—her cabins are splendidly furnished; she has a bust of the man whose name she bears, and is ornamented with emblems of the "American System."

CINCINNATI. Five hundred new buildings were erected in this city last year—and 13 steam boats, measuring 2,333 tons, and costing \$184,500.

LOUISVILLE AND WHEELING are also going a-head, with as much proportionate rapidity as Cincinnati and Pittsburgh. They are also great seats of internal commerce and manufacturing industry.

News! A late English paper, noticing the arrival of a vessel from New York, says that the ballottings for a new president were going on, the majority of the suffrages being for Mr. Wirt.

A COLORED MAN, named Thomas Mitchell, had resided some time at Dayton, Ohio. He was arrested as a runaway slave from Kentucky, but released by the justice, because of some defect in the proof offered; but being arrested a second time, he was given up as claimed: on which a project was set on foot to purchase him, he himself contributing fifty dollars which he had saved—but the master would have him back again. He was secured and carried to Cincinnati, and deposited in the fourth story of an hotel; but he jumped out of the window and was killed. His master took the remains of poor Tom to Kentucky that they might have, as he said, "a decent burial in his own church yard."

DRY GOODS IMPORTED AT NEW YORK. A New York paper publishes a comparative statement of dry goods exported from Liverpool to New York, from the first of March to the thirtieth of November, 1830, and for the same portion of 1831, from which it appears, that of cotton stuffs, in 1830, the number of pieces was 935,810; and in 1831, 756,889; showing a decrease last year of 238,921 pieces, and in the number of yards a

decrease of 2,632,412. Of worsted stuffs there were imported in 1830, 118,561 pieces, in 1831, 142,356 pieces; showing an increase for the latter year of 23,795 pieces. Of woollens there were imported in 1830, 107,854 pieces, and in 1831, 190,324; showing an increase for the latter year of 82,469 pieces. Of woollen-ends, the importation in 1830, was 33,333, in 1831, 38,327; showing an increase of 4,995. Of woollen yarn there was imported in 1830, 3,120 cwt., and in 1831, 73,900 cwt.; showing an increase of 70,780.

LIBERIA. The "Herald" gives cheerful accounts of this colony. A school for females on a liberal footing, had just gone into operation, through the liberality of Mrs. Sansom, of Philadelphia, who had sent out teachers and books, &c. The editor of the "Herald" laughs at a report that he intends to leave the colony—and says on his personal knowledge, as well as by the information of the colony physician, Dr. Toulson, that only two of the emigrants by the Valador, from Baltimore, had died, though Mr. Garrison, of the Liberator, has killed off many of them in his paper. Judging by what we see in the "Herald," the "Liberator" seems opposed to every thing which may hold out the prospect of benefit to the colored population, unless accomplished in violence; and he lately got up a petition to the legislature of Massachusetts to legalize marriages between white and black persons. A law forbidding such marriages, we think, ought not to have been passed—Mr. G. and others should have liberty to indulge their faculty, to the fullest extent; but as it is—so let it remain, for the present.

MISERIES OF THE IRISH ROOF. We would hope—most ardently hope, that the following picture from the *Kilkenny Journal* is exaggerated, whilst fearing that it is not. It is horrible! But here is the application—shall the labor of the people of the United States, for the love of "free trade," be placed on a par with that of the wretched beings described? Shall we relieve the misery imposed on the English and Irish population, because that royalty, nobility, and the priesthood, eat up their substance, and take a part of that misery on ourselves? This is the question. When these "reform" themes live—it will be time enough to think about so splendid a generosity.

"We shall again and again turn our thoughts to this subject, and, if possible, enlist public and private sympathy, in behalf of the most wretched and forlorn of our fellow christians, whose state of destitution is beyond description—wanting all the necessities of life, food, fuel, clothing, and bedding. What is to become of them? Are they, in a christian land, to be allowed to perish unnoticed and unknown? Let those who are incredulous as to the existence of this large mass of misery, but visit any of the lanes and alleys of this city, and they will be at once undeceived; even those parts of it where the wheel and the shuttle were once busily employed, are now the abodes of equal poverty and disease. What think you, fathers of families, to see a family of nine persons sitting down to a scanty meal of wet, not dry potatoes, in four and twenty hours? What think you, mothers, of the mother of six children being found engaged in stirring a pot of water in a corner where a fire was not, (using maternal deception), to silence the cries of hunger, until, weary with waiting, her children fell fast asleep?—of a man burning old shoes, to produce a smoke, as he told us, to keep out the damp? These are only specimens, selected from a dense mass of misery which now pervades this once prosperous, but now ruined and neglected city."

CUBA. It is officially notified that gen. Vives has, at his own request, been relieved of the captain-generalship of Cuba, and will be succeeded by gen. Don M. Riazorfo.

JAMAICA. Late accounts inform us that the rebellious slaves had been nearly reduced, and that a large number had been hung and shot. A Baptist missionary is loudly charged with having promoted these disorders, which are said to have been "unparalleled in the history of any country"—a "flourish," perhaps, about what has happened, but sufficient to shew that the outrages com-

mitted were of serious importance. It is most likely that the charge against the missionary was founded only in the wrong action of the owners of the slaves. The gambler, on losing his money, abuses the cards, but does not reform his use of them. "Tranquility," it was hoped would now be restored—tranquility on the smoking embers of desolated plantations, and amidst the carcasses of men. "The fullness of time" we learn is near at hand—in the West Indies.

The accounts say, that the excitement among the slaves was general—half of the estates in some of the parishes were destroyed by fire; the slaves also murdered many persons in the outset. About two thousand of them had been shot down or hung; and a large body were "so hemmed in that they could not escape," at the last accounts.

DUKE DE BOURBON. A most interesting investigation was going on before a tribunal at Paris, relative to the decease and distribution of the vast property of the late duke de Bourbon, one of the branches of the old royal family of France, and related to the present king. It was given out that the duke had committed suicide, soon after the revolution of the "three days"—but many circumstances led to a strong suspicion that he had been murdered, and that the chief agent in his death was a certain woman of English extraction, named Sophia Daves, alias the baroness Feuchere, the duke's concubine; and it is charged that previous to destroying him, she had forced him to make a will, giving two millions of francs and a splendid landed property to herself, but his immense fortune to the duke d'Aumale, one of the sons of the present king. The developments made are very curious. The enquiry is instituted by the princes Rohan, to obtain the property, and a strong disposition is manifest to implicate Louis Philip with Sophia Daves, in the murder of the old duke, having obtained such a will as they wished. The case was not yet decided—but the chief ground of suspicion against the king seems to have been in some courtesies which he had extended towards the woman—and it appears also that he had been on most friendly terms with the duke; but there was nothing strange in the direction which the latter had given to the honors and estates of Conde.

DUELS. A Paris paper relates as a fact that two students in Berlin having quarrelled, agreed to kiss the lips of a person mortally affected with the cholera, and that the dispute should terminate with the death of either. Each of them kissed the lips of a man in the last stage of the disease, but neither dying within twenty-four hours afterwards, their "mutual friends" declared that they should be reconciled.

A duel was fought on the banks of the Potomac, near Port Tobacco, on the 7th inst. between lieut. H. Matthews, of that place, and Dr. G. W. Jewson, of Virginia, in which the former was shot through the heart, and died instantly, and the other received a dangerous wound in the abdomen, but it was thought would recover.

And at Fort Mitchell, Georgia, gen. Sowell Woodfolk was shot through the heart and instantly killed, by maj. J. T. Camp, who was also wounded in the abdomen.

And again, in Georgia, a Mr. Fair was shot through the heart by a Mr. Gist. Three brothers of the deceased were on the duelling ground!

These may be called sharp shootings, indeed!

LONGEVITY—England and America. The London bills of mortality for the last year, in a population of about 1,300,000, shew 28,263 christenings, and 25,337 burials; of the deaths 4,807 were of consumption, 1,061 by asthma, 48 suicides and 563 of the small pox. Only three persons exceeded the age of 100 years.

The returns of the late census of North Carolina, the whole population of which is 738,470, shews 58 white persons and 247 people of color, aged more than 100 years. Massachusetts has only 55 persons in her 608,259, so aged.

MISCELLANEOUS ITEMS—NONE.

The splendid bridge on the Monongahela, which cost 140,000 dollars in 1818, at Pittsburg, gave way on the

21st January last. No lives lost, except that of a horse though two persons and five horses descended with the ruins.

The rev. Dr. Wilson, of Albany, N. Y. has published a sermon entitled "Prince Messiah's claims to dominion over all governments, and the disregard of his authority by the United States, in the federal constitution." The reverend gentleman might have been better employed than in making this sermon.

Very great damage has been sustained by the breaking up of the Susquehanna. The ice was piled up in some places fifty feet high. Several of the bridges have been injured, about a quarter of mile of one of them is said to have fallen; the Muncy dam has been carried away, and the Shamokin much injured—these dams were made to feed canals, but have perilled the navigation of the river.

A liberal appropriation has been made to repair the statue of Washington, belonging to the state of N. Carolina, which, it is stated, may happily be accomplished. A fine painting of the statue, as it was, has been preserved.

An increased attention is paid in many places to the breeding of silk worms. We hope that it may become general. Light labor and time now lost will produce millions, it applied to this object.

A large business continues on the Baltimore and Ohio rail road—more than eighty cars sometimes arrive in a day, with more than 1,100 barrels of flour and great quantities of other articles. When this road shall reach the Ohio, we may expect the arrival of a thousand cars, some days, and the departure of as many. Three hundred cars are now employed on the road.

A rail road is talked of from Richmond to York—the ground is said to be excellent for one, and materials abundant. With such road, persons may breakfast in Richmond and sup in Baltimore, and a vast saving of money and time would ensue. The latter is the great value of internal improvements, and is worth millions annually to England.

It is proposed to make a rail road from Brooklyn, (opposite New York), to the eastern end of Long Island. If ever this shall be accomplished, the journey from N. York to Boston will be a short one—as to time.

The legislature of Virginia has passed a law concerning the militia, which, among other provisions, has one limiting the fine for non-attendance at any "company, battalion, regimental, or other muster," to *seventy five cents*. During the debate in the legislature on this subject, Mr. Goode, one of the members of that body, observed that perhaps he ought to be the last to interfere, being, as he presumed, the only *private* present!

Letters have been received at New York from Raymond, the officer who pursued Rounge, who escaped with a part of the princess of Orange's jewels, whom he caught and carried to the Hague. The jewels now recovered are valued at 45,000 pounds sterling. The mystery about these jewels remains as it was.

There is a *Ginard* Journal at Philadelphia—and a *Ginard* bank, a *Ginard*-rail-road, *Ginard* square, *Ginard* street, &c. &c. may be expected, besides the *Ginard* college, *Ginard* school, &c. &c.

At Bangor, Maine, the thermometer on the 27th Jan. ult. is said to have stood at 35 degrees below zero. This was a "cold Friday," over the greater part of the United States. We thought that, in Baltimore, we never felt such biting cold.

We learn from the Tallahassee Floridian, that Achille Murat, who recently received a military commission from the Belgian government, but was deprived of it by a demand made by the French government, is expected shortly to return, with his lady, to his residence in Florida.

At the Hotel Dieu, in Montreal, on the 28th ult. Mr. Louis Gaudry dit Bourbonniere, aged 84, and Mrs. Celeste David, aged 74, celebrated the 50th anniversary of their marriage. The bride's maid aged 70 years, was the same who assisted at their marriage, 50 years ago.

The fine brig *Amanita*, captain Harvey, arrived at Baltimore on Sunday afternoon, in 66 days from Valparaiso.—This is the *shortest passage* which has ever been made between the two ports.

A Nova Scotia paper says that "one Charles Carroll" is not the only surviving signer of the declaration of in-

dependence—but that Alexander Robertson, then living at Shelburne, N. S. had also signed it!

A woman in North Carolina stands charged with having murdered her husband, and burned the greater part of his body and bones to ashes, in the fire place of her house. He seems to have been a bad man—but she is the mother of two children.

TWENTY SECOND CONGRESS—1st SESSION.

SENATE.

February 9. A message was received from the president of the U. S. transmitting a report from the secretary of war, relative to the fur trade, and the number of killed and wounded while engaged in it—referred.

Also a message communicating the ratifications of the treaties with France and Turkey.

Mr. Chambers submitted a resolution instituting an inquiry as to the propriety of allowing defendants, criminally charged in the courts of the United States, additional means to procure testimony and compel the attendance of witnesses.

Mr. Poindexter submitted a resolution relative to the reservation of Choctaw lands in the state of Mississippi.

Mr. Dickerson submitted the following resolution: Resolved, That the secretary of the treasury be requested to communicate to the senate copies of all instructions to collectors of customs, and other officers, on the subject of iron and manufactures, since the 30th of April, 1818.

The vice president presented the free trade memorial, as also a supplemental one from two members of the committee, praying for a repeal of the protecting duties.

The resolutions submitted yesterday by Mr. Sprague, Mr. Benton and Mr. Wilkins, were considered and adopted. Adjourned.

February 10. Mr. Tazewell of Va. presented a petition from sundry citizens of Chesterfield county, Virginia, against the reduction of the duty on coal.

Several memorials from banks, favorable to the renewal of the charter of the United States bank, were presented.

The resolutions moved yesterday by Messrs. Chambers, Poindexter and Dickerson, were severally considered and agreed to.

The resolutions relative to the arrangement of the West India trade, submitted some days since by Mr. Sprague, were taken up, and at his instance, postponed.

The senate then proceeded to the consideration of the special order, being Mr. Clay's resolution on the subject of the tariff.

Mr. Hayne said, that he had received a communication from the gentleman who had, as chairman, signed the memorial of the late free trade convention, (Mr. Gallatin,) giving the information that an erroneous impression had been created elsewhere, as to the prayer of that petition, from some remarks which had fallen from him (Mr. H.) on that subject, and which had been erroneously reported. Mr. H. said he rose to correct that misapprehension, and would do so by simply reading that part of the memorial which related to the subject. It was in the following words, viz:

"Your memorialists respectfully pray—

"1st. That the duties be so reduced, as to leave, after the extinguishment of the public debt, only that amount of revenue which may be necessary to meet the ordinary exigencies of the government.

"2d. That allowing a reasonable time for the gradual reduction of the present exaggerated duties on some articles, the duties on all the imported articles, *not free of duty* be ultimately equalized, so as that the duty on any such articles shall not vary materially from the general average rate of all the duties together, or in other words, from a uniform duty ad valorem on all imported articles subject to duty.

"3d. That wines, teas, coffee, and similar articles, be not added to the list of those now free of duty, but may, on the contrary, be subject to duties corresponding in proportion to their respective value, with those laid on other imported articles, subject to duty."

Mr. Knight took occasion (before Mr. Tyler, who was entitled to the floor, proceeded,) to read to the senate some statements, to show the great amount of corn, flour, &c. imported from the southern states, into Rhode Island, for the consumption of the manufacturing districts.

Mr. Tyler, in allusion to this subject, said he had that morning received a letter from a neighbor and friend with whom he had had many good tempered controversies respecting the tariff—who wrote him thus: "I have just sold my crop of corn to a Yankee, to be carried by him to feed the New England manufacturers—rascals, who, if it were not for the abominable tariff, would make corn for themselves." Mr. T. in reading this letter, declared his belief that it evoked the greatest delusion of mind on the subject. He then resumed his remarks in opposition to the resolution, and continued until the usual hour of adjournment, when not having concluded, the senate adjourned over to Monday.

February 13. Mr. Clay, from the joint committee appointed on the subject, made a report relative to the mode of celebrating the centennial birth day of GEORGE WASHINGTON. It provides for an adjournment of the two houses from the 21st to the 23d instant, out of respect to his memory; divine service by the two chaplains of congress, that an oration be delivered, and that the remains of GEORGE WASHINGTON be removed, on his coming birth-day, from Mount Vernon, to the capital at the City of Washington, for interment, agreeably to the resolution of congress, of December 24th, 1799.

According to the report of Mr. Clay, the chief justice of the United States had been requested to deliver the oration; but owing to official engagements and physical causes, had declined.

The report being read, Mr. Clay offered resolutions relative to the removal and deposit of the remains. A debate ensued on the resolutions. They were advocated by Messrs. Clay, Webster, Sprague, Bibb, and Holmes, and opposed by Messrs. Forsyth, Yazewell, and Tyler. The resolutions finally passed by a vote of, ayes 29, nays 15.

The senate then went into the consideration of executive business; and having spent some time therein, adjourned.

February 14. After the disposal of some morning business—

The senate resumed the consideration of Mr. Clay's resolution respecting the tariff.

Mr. Tyler rose, and, in a speech of an hour and a half, concluded his argument against the resolution.

Mr. Knight followed in favor of the resolution. When Mr. Knight had concluded,

On motion of Mr. Grundy, the resolution was then postponed until to-morrow.

The senate took up the joint resolution from the other house in regard to the removal of the remains of Mrs. Washington, and the invitation of certain officers, &c. to unite in the ceremony of removing the remains of GEN. WASHINGTON. After some discussion, the resolution was agreed to. The senate then adjourned.

February 15. The joint resolution from the house of representatives, relative to the invitation of certain distinguished individuals, to attend the ceremonies of the 22d February, was taken up; and

On motion of Mr. Forsyth, the names of all except that of the president of the U. States were stricken out, and the resolution thus amended agreed to.

Mr. Holmes submitted resolutions calling upon the secretary of the treasury, to inform the senate why the statements of the foreign commerce of the U. States, required by the act of the 10th February, 1820, have not been transmitted to congress—and why he has not reported an answer to the senate's resolution of the 22d December, 1831, calling for information relative to the British colonial trade, and when the answer is to be expected.

The senate resumed the consideration of the resolution of Mr. Clay, relative to the tariff.

Mr. Grundy spoke two hours against the resolution, when he gave way for a motion to that effect, and the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 10. Mr. McDuffie, from the committee of ways and means, to which was referred the memorial of the president, directors and company, of the bank of the United States; also, sundry memorials from other sources, relative to the renewal of the charter of the said bank, made a report thereon, accompanied

by the following bill, to renew and modify the charter of the bank of the United States:

A bill to renew and modify the charter of the bank of the United States.

Be it enacted, &c. That the act entitled "an act to incorporate the subscribers to the bank of the United States," approved the 10th day of April, 1816, shall be continued in force for the period of twenty years from the 3d of March, 1836, and that the power shall be reserved to congress to repeal this act at any time after ten years from the 3d of March, 1836, upon giving three years notice of such intended repeal to the president and directors of the said bank.

And be it further enacted, That the president of the United States, after the 3d day of March, 1836, shall appoint one of the directors of each of the branches of said bank, in the same manner as he now appoints a portion of the directors of the mother bank, and with the same limitations as to their eligibility and term of service.

And be it further enacted, That any officers of the mother bank who may be selected by the board of directors, and designated to the secretary of the treasury of the United States, shall be authorized to sign and counteract notes, which shall be binding and obligatory on the said corporation, in like manner, as if the same were signed and countersigned by the president and principal cashier or treasurer.

And be it further enacted, That the said bank is hereby prohibited from issuing any notes which are not upon the face of them declared to be payable at the office from which they may be issued; and also, from drawing any drafts or checks for twenty dollars or any smaller sum.

And be it further enacted, That it shall be the duty of the bank to furnish annually on the first day of January, to the chief officer of the treasury of each state, a list of the holders of stock, in said bank, who are residents in such state, with the amount of the stock held by each stockholder; and nothing contained in the charter of the said bank or in this act, shall be deemed to restrain the several states from taxing the real estate of the said bank, situated therein, respectively, or the proprietary interest of their respective citizens in the stock of the said bank, to the same extent that they may tax other real estate within their jurisdiction, and like interests in the stock of other corporations, or money lent at interest.

And be it further enacted, That in consideration of the exclusive privileges and benefits conferred by this act upon the said bank, the president, directors, and company thereof, shall pay to the United States, out of the corporate funds thereof, on the 3d day of March, 1837, and on the same day of each year thereafter, during the continuance of the charter, an interest at the rate of — per centum upon the deposits from time to time to the credit of the treasurer of the United States in the said bank and its branches, during the preceding year.

And be it further enacted, That, after the 3d day of March, 1836, the said bank shall not establish any additional branch thereof, without the consent of congress.

Mr. Wayne said he understood that there was a counter-report to be presented by the members in the minority on the committee. He wished the second reading of the bill to be postponed until Monday next, that both reports might be printed together.

After some explanation—

Mr. McDuffie moved that the bill be referred to a committee of the whole on the state of the union, and that the bill and report be printed. Ordered, and, on motion of Mr. Ingersoll, an additional number, viz: 5,000 copies were ordered to be printed.

Mr. Alexander, from the minority of the committee of ways and means, on the question, in that committee, of a renewal of the charter of the bank of the United States, made a counter-report containing the views of the said minority in relation to a renewal of the charter of said bank.

Ordered, That 5,000 copies of said report of the minority be printed for the use of this house.

Mr. Cambreleng moved certain resolutions relative to the semi-annual statements of the bank of the United

States—the statements of its branches, and as to its dealings in foreign bills of exchange, &c.

Mr. *Letcher* reported a bill to construct a road from Zanesville in Ohio, to Florence in Alabama—twice read and referred.

A message was received from the president communicating surveys of the Savannah and Tennessee rivers.

Mr. *Everett's* resolution, relative to a call on the president for the 4th article of the Chickasaw treaty, came up for the consideration of the house—when,

Mr. *Hogan* addressed the house against the resolution. When he had concluded,

Mr. *Wilde* moved to refer the resolution to the committee of the whole. The yeas and nays were ordered on this motion; but before they were taken, the house proceeded to the orders of the day, and after the transaction of some private business, adjourned to Monday next.

Monday, Feb. 13. A number of memorials favorable to the renewal of the charter of the bank of the United States, were presented.

A resolution providing for the surveys of Green and Big Barren rivers, was taken up and passed.

Mr. *Lyon* presented a resolution to inquire as to the propriety of adopting a more uniform mode of computing the mileage of members of congress.

Mr. *Carr* moved a resolution to inquire into the propriety of paying for certain Indian depredations in the state of Indiana.

Mr. *Thomas*, of Louisiana, from the joint committee appointed on the subject, made a report on the celebration of the centennial anniversary of GEORGE WASHINGTON's birth day.

The question of concurring with the report of the committee coming up, an animated debate ensued, which occupied the house until half past six.

The report was finally agreed to, by a vote of yeas 109, nays 76.

Tuesday, Feb. 14. Mr. *Jarvis* presented a resolution authorizing the painting of a full length likeness of WASHINGTON, to be placed in the hall of the house of representatives.

Mr. *Adair* moved a resolution inviting the president of the United States and the heads of departments, to attend at the ceremonies of the 22d inst. The resolution was afterwards amended by including the names of James Madison, Charles Carroll, of Carrollton, the judges of the supreme court, the post master general, and the relatives of WASHINGTON—passed.

Mr. *Bates*, of Maine, offered a resolution providing for the removal of the remains of Mrs. MARTHA WASHINGTON. Agreed to.

The house resumed the consideration of the apportionment bill—the question being on Mr. *Clayton's* motion to reconsider the vote, by which the ratio of "48,000" was stricken out and "44,400" inserted in lieu thereof; Mr. *Clayton* afterwards withdrew his motion.

The question was then taken on Mr. *Evans's* motion to insert 44,500 in lieu of 44,400, as at present in the bill—decided in the affirmative; yeas 108, nays 80.

After various motions as to the ratio, on motion of Mr. *Polk*, the bill was recommitted with instructions to insert 47,700 in lieu of 44,500. The house then adjourned.

Wednesday, Feb. 15. Mr. *Drayton* reported a bill for satisfying certain militia claims of the state of Georgia.

Mr. *Washington* reported a bill for improving Pennsylvania avenue, supplying the public buildings with water, &c.

After various propositions as to the number of the ratio of representation, the house concurred in 47,700, and ordered the bill to a third reading to-morrow; and then adjourned.

Thursday, Feb. 16. On motion of Mr. *Letcher*, a resolution was adopted calling on the secretary of war for a statement of certain contracts made for cannon and shot.

A message was received from the president relative to the migration of the Indians.

The speaker laid before the house certain correspondence relative to the remains of Washington.

The apportionment bill was read a third time and passed. Yeas 130, nays 58.

The bill to settle the military claims of South Carolina, was ordered to a third reading, by a vote of yeas 130, nays 47.

A bill making appropriations for the revolutionary and other pensioners of the United States for the year 1832.

A bill making appropriations for the naval service for the year 1832.

The bill to provide for the payment of arrearages in the naval service, chargeable to the emancipated contingent; prior to the first day of January, 1832.

A bill making appropriations for fortifications for the year 1832; were severally read and concurred in by the house, and ordered to be engrossed for a third reading.

MESSRS. POINDEXTER AND MOORE, OF THE SENATE, &c.

From the National Intelligencer, of Feb. 10.

The "card" which appears in our columns to-day is inserted reluctantly, but under a sense of duty to the senators of the United States by whom it is authorized, upon whom an attack has been made in the *N. York Courier and Enquirer* of a nature hardly to be answered by argument. With less provocation than has been given for it, we should have declined publishing the card. Were it merely personal in its character, we should have declined it. But it concerns grave, deliberate charges of subornation and corrupt wickedness against two members of the senate, which crimes are alleged to have been consummated on the floor of that body. We have no disposition to copy the whole of the article in the *N. York paper*, (of Feb. 7), to which the "card" refers, but we extract a sentence or two to shew the aggravated considerations which influence us to yield our inclination in this matter to a sense of justice.

The subject of the article is Mr. Clement, whose letter, it may be recollected, accompanied the speech of Mr. *Pinckney* on Mr. *Van Buren's* nomination. Referring to Mr. C. the *Courier and Enquirer* says—

"It now appears that this adventurer has found his way to Washington and there been retained by the honorable Mr. *Moore*, of Alabama, and Mr. *Pinckney*, of Mississippi, to coin falsehoods, and do such other dirty work as the new triumvirate may carve out for him."

The article in question further says—

"We pronounce the whole statement to be without the shadow of foundation—a wilful falsehood purchased by those who used it."

"We cannot vouch for the truth of his statement; but taking it in connexion with his letter, which must have been paid for—and believing as we do, that any persons who would vote as these gentlemen did on the nomination of Mr. *Van Buren*, would not hesitate to buy the falsehoods of such a man," &c.

"It is true—and we do not doubt it—then have these men disgraced themselves and the senate by as corrupt and unprincipled a purchase of fabricated charges as ever has been exposed to the just indignation of an insulted people."

A CARD.

It must be obvious to every honorable man, that Mr. *Pinckney*, of Mississippi, and Mr. *Moore*, of Alabama, cannot stoop to notice the infamous falsehoods which appear in the columns of the *N. York Courier and Enquirer*, relating to their recent vote on the nomination of Martin Van Buren. The editor has been regularly purchased, and paid for, by a lucrative office which he holds in the city of New York; it is his business to circulate through his columns lies to order—wholesale or retail; and no one can doubt that he, as in duty bound, faithfully performs his contract.

This king of the Jews, who has sold his character, and his conscience, and, like Judas, would sell his God for thirty pieces of silver, cannot be made to feel the influence of truth, or the reproaches to which his vile columns subject him; he is safe behind the mud-wall which he has erected as a secure battery, to protect him

from all the approaches of virtue and honor. But as he alleges, and it cannot be doubted, that the infamous slanders which he publishes are manufactured for the occasion, and forwarded to him by members of either house of congress from New York: such member or members are thus publicly notified that if they dare to show their faces, and advance from behind the dark curtain which conceals them, they will meet with the most prompt and respectful attention from those whom they seek to calumniate through a corrupt, irresponsible journal.

TO THE PUBLIC.

I have read in the New York Courier and Enquirer, of the 7th instant, an article headed Samuel E. Clement, containing, among other things, an affidavit of John H. S. Browere, and alleging, upon the authority of two members of Congress, that I had informed the gentlemen referred to, that I "had been engaged to edit a newspaper in the state of Mississippi, by Mr. Poindexter, of that state, and Mr. Moore, of Alabama; that Mr. Poindexter had agreed to contribute his portion of the expense of establishing the paper in cash, but that in consequence of Mr. Moore being somewhat embarrassed in his circumstances, he had proposed giving an endorsed note for fifteen hundred dollars, that being his portion of the sum required." The same article alleges that my letter, addressed to Mr. Poindexter, by him submitted to the senate, and afterwards appended to his speech delivered on Mr. Van Buren's nomination, was a "wilful falsehood purchased by those who used it; and that I had been retained by the honorable Mr. Moore, of Alabama, and Mr. Poindexter, of Mississippi, to coin falsehoods, and do such other dirty work as the new triumvirate may carve out for him."

For the libel on myself, contained in this publication, I deemed it my duty to arrest James Watson Webb, the editor of the Courier and Enquirer, who is now in the custody of the marshal. In reply to the statement of John H. J. Browere, and the allegation that I had been removed from office by Mr. Barry, I give the most unqualified denial, to sustain which, I will, in a few days, submit proofs the most unquestionable. The statement relative to governor Poindexter and governor Moore, is a base and infamous falsehood.

The Courier quotes the conclusion of my letter in these words: "I regret that I am thus called upon to repeat any remarks that may have been inadvertently made to a friend," and applies the word FRIEND to Mr. Van Buren. This is a deliberate misrepresentation. I never claimed Mr. Van Buren as my friend. I was the friend of the administration, not the partisan of Mr. Van Buren. The "remarks" referred to, were those made to another individual in the course of a casual observation the evening before Mr. Van Buren's rejection. The substance of those remarks were by him communicated to Mr. Poindexter, and his note, with a memorandum by Mr. Poindexter, asking that the facts might be communicated in writing, was all that ever passed between governor Poindexter and myself upon the subject. Governor Moore was not consulted, and could not have known of the letter until it was submitted to the senate.

SAMUEL E. CLEMENT.

A CARD.

Washington city, *Gadaby's hotel*, Feb. 11, 1832.

In a "card" published in the National Intelligencer and United States Telegraph this day, Gov. Poindexter of Mississippi, and Gov. Moore of Alabama—both members of the senate of the United States, charge the surveyor of the port of New York, with writing the article which appeared in the editorial columns of the New York Courier and Enquirer, on the 7th instant, and of which the following is an extract:

"What we have stated as to Mr. Clement's knowledge of Mr. Van Buren, and the circumstances under which he became the depository of Mr. Van Buren's confidence, we have from two members of congress from this state, whose veracity never has been questioned, and on their authority we make the following statement, for the truth of which we are ready to vouch:"

"Mr. Clement informed the gentlemen referred to, some days previous to the appearance of his letter, that

he had been engaged to edit a newspaper in the state of Mississippi, by Mr. Poindexter of Mississippi, and Mr. Moore of Alabama—that Mr. Poindexter had agreed to contribute his portion of the expense of establishing the paper in cash, but that in consequence of Mr. Moore being somewhat embarrassed in his circumstances, he had proposed giving an endorsed note for fifteen hundred dollars, that being his portion of the sum required."

"Thinking as we do, that Clement is an unprincipled fellow, and has written what he knows to be false in relation to Mr. Van Buren, we cannot vouch for the truth of his statement; but taking it in connexion with his letter, which must have been paid for—and believing as we do, that any person who would vote as these gentlemen did on the nomination of Mr. Van Buren, would not hesitate to buy the falsehoods of such a man as Clement, we give to the statement full credence. If it be true, and we do not doubt it, then have these men disgraced themselves and the senate, by as corrupt and unprincipled a purchase of fabricated charges, as has ever been exposed to the just indignation of an insulted people. To that people, and to their own consciences, we leave them and their resurrection man, Samuel E. Clement."

"The undersigned does not deem it necessary to comment upon the undignified character of the "card" of the honorable senators, but begs leave respectfully to assure them, that the entire article referred to, was written by him, and forwarded for publication from this city. The two material facts alleged in that article, are—first, that the disclosures said to have been made by Mr. Van Buren to Clement, were, according to Clement's own admission, made at his first interview with Mr. Van Buren, which was purely accidental, and never but once repeated. Second, that Clement had asserted that gov. Poindexter and gov. Moore offered to furnish him with funds for the establishment of a newspaper in the state of Mississippi. These two charges are now repeated, they are susceptible of proof at any moment, and for their truth, as well as for whatever opinions or sentiments are contained in the article alluded to, the undersigned holds himself personally responsible. He would further inform these honorable senators, that the members of congress from New York referred to in the foregoing extract, do not seek concealment "behind" a "dark curtain," and that an application to the undersigned for their names, or for any other purpose, "will meet with the most prompt and respectful attention from" their obedient servant,

JAMES WATSON WEBB.

TREATY WITH FRANCE.

From the National Intelligencer.

The treaty with France, recently ratified by the senate of the United States, and the ratifications of which were exchanged with the French minister (M. Serurier), on the 2d instant, was yesterday transmitted by the president to congress; and we had an opportunity of hastily running over its contents. The first article, which is the most important to claimants at least, is in the following words:

"Article 1. The French government, in order to liberate itself completely from all the reclamations preferred against it by the citizens of the United States, for unlawful seizures, captures, acquiescences, confiscations, or destructions of their vessels, cargoes, or other property, engages to pay a sum of twenty-five millions of francs to the government of the United States, who shall distribute it among those entitled, in the manner and according to the rules which it shall determine."

Art. 2 provides that the above sum is to be paid at Paris in six annual instalments, with interest at the rate of four per cent. on each of the instalments.

Art. 3 and 4 provide that the government of the United States, on its part, for the purpose of being liberated from all reclamations, &c. is to pay to the government of France the sum of 1,500,000 francs, in six annual instalments, &c.

Art. 5 provides that this treaty will not preclude the prosecution of claims, other than those coming within its scope, in the courts of the two countries respectively.

Art. 6 provides that the two governments shall reciprocally furnish any documentary evidence in their possession to facilitate the adjudication of claims.

Art. 7 is in the following words:

"The wines of France, from and after the exchange of the ratifications of the present convention, shall be admitted to consumption in the states of the union at duties which shall not exceed the following rates by the gallon, (such as is used at present for wines in the U. States), to wit: six cents for red wine in casks; ten cents for white wine in casks; and twenty-two cents for wines of all sorts in bottles. The proportion existing between the duties on French wines thus reduced, and the general rates of the tariff which went into operation the 1st of January, 1829, shall be maintained in case the government of the United States should think proper to diminish those general rates in a new tariff.

"In consideration of this stipulation, which shall be binding on the United States for ten years, the French government abandons the reclamations which it had formed in relation to the 8th article of the treaty of cession of Louisiana. It engages, moreover, to establish on long staple cottons of the United States, which, after the exchange of the ratifications of the present convention, shall be brought directly thence to France by the vessels of the United States, or by French vessels, the same duties as on short staple cottons."

Art. 8 provides for the exchange of ratifications.

THE RUSSIAN TARIFF.

From a London paper of December, 23.

The accounts received yesterday from St. Petersburg, bring a copy of the new tariff of duties, which had been issued by order of the emperor of Russia. The document occasioned much surprise among the merchants and others connected with the Baltic trade. On the 19th ult. (O. S.) the order was put into force at the customs; an additional duty of 12½ per cent. on all imports, not entered before the 19th, with the exception of brimstone, corks, and corkwood; besides which, the duty is increased for the importation of 1832, on the undermentioned articles, as follows:

	Old duty. R. Bu.	New duty. Add the 2 1/2 p.c. and the new 12 1/2 per cent.
	R. Co.	R. Co.
Wood, all foreign used by joiners and turners	pr. poof, 1 80	9 00
— for drying, such as St. Martin's, Bra- zil, &c.....	pr. berguet 3 60	5 40
— ground & warped, — for drying as log- wood, fustie,.... in logs,	14 40 1 80	21 60 3 60
— the same ground and warped,....	7 20	14 40
Indigo,.....	per poof 9 0	14 40
Cocoa in beans,....	16 20	21 60
Quercitron bark,....	1 80	2 70
Madder, ground,....	1 80	2 88
Datto, unground,....	1 8	1 80
Cochineal,.....	27 0	26 0
Nutmegs,.....	54 0	64 80
Mace,.....	81 0	97 90
Wine and porter,....	per bhd. 126 0	129 60
Cinnamon, cassia, ligu- nea, cassia flower, per poof,	36 0	43 20
Olive oil, in casks,....	4 50	5 40
Ditto, in earthenware & bottles,.....	10 80	12 60
Coffee,.....	18 0	21 60
Turmeric,.....	0 90	1 44
Anatto,.....	1 80	3 60
Ostrich feathers,....	per lb. 36 0	54 0
Herrings, Dutch and English, per barrel,	5 40	9 0
— all others,	1 44	2 16
Sago,.....	per poof, 14 40	21 60
Safflower,.....	1 80	3 60
Sugar, raw,.....	9 0	10 8
Ditto, syrup,....	5 40	5 94

Turpentine,.....	per poof, 3 60	6 30
Whalebone,.....	per lb. 0 21 3-5	0 72
Artificial flowers,....	per poof, 21 60	32 40
Thistles,.....	0 0	1 80

NEW PRUSSIAN TARIFF.

The new tariff for the years 1832, 1833, and 1834, has just been published at Berlin. It is nearly the same as last, but the allowance of 33 per cent. discount upon the goods sold at the Prussian fairs of Frankfort and Naumburg has been discontinued. The following is the scale of duties upon the principal articles imported into that country.—

Cotton and linen goods, without silk, Of, 1 6d. per lb.	
Lace, (of linen),.....	0 1 6 do
Silk goods,.....	0 3 0 do
Woolen and worsted goods,.....	5 0 0 per cwt.
Carpeting,.....	3 6 0 do
Goods manufactured of fine leather,....	3 6 0 do
Morocco leather,.....	1 4 0 do
Butts and common leather,.....	0 18 0 do
Steel and iron goods,.....	0 1 6 do

PROCEEDINGS OF THE SENATE,

ON THE NOMINATION OF MARTIN VAN BUREN.

Remarks of Mr. Marcy.

Mr. Marcy said, that he had intimated heretofore, more than once, that it was not his intention to offer to the senate any observations upon the main question now before them. What regarded the public conduct of the present minister to London, was better understood by other members, and what was to be said in explanation or vindication of it, would be better said and better received from most of them, by reason of their great experience in public affairs, and their particular knowledge of the transactions which have been brought under review in this discussion. He had determined that it would be his duty to trouble the senate with remarks, only, in case topics should be introduced into the debate, with which he might well be supposed, from his local situation, to be particularly acquainted.

The occasion which rendered it proper that he should say something, had arisen in consequence of what had fallen from the honorable senator from Kentucky, (Mr. Clay). His attack was not confined to the nominee; it reached the state, which he, (Mr. M.) represented in this body. One of the grounds of opposition to the minister to London, taken by the senator from Kentucky, was the pernicious system of party politics adopted by the present administration, by which the honors and offices were put up to be scrambled for by partisans, &c. A system, which the minister to London, as the senator from Kentucky alleged, had brought here from the state in which he formerly lived, and had for so long a time acted a conspicuous part in its political transactions. I know, sir, said Mr. M., that it is the habit of some gentlemen to speak with censure or reproach of the politics of New York. Like other states, we have contests, and, as a necessary consequence, triumphs and defeats. The state is large, with great and diversified interests; in some parts of it, commerce is the object of general pursuit; in others, manufactures and agriculture are the chief concerns of its citizens. We have men of enterprise and talents, who aspire to public distinction. It is natural to expect from these circumstances, and others that might be alleged to, that her politics should excite more interest at home, and attract more attention abroad, than those of many other states in the confederacy.

It may be, sir, that the politicians of the United States are not so fastidious as some gentlemen are, as to disclosing the principles on which they act. They boldly preach what they practise. When they are contending for victory, they avow their intentions of enjoying the fruits of it. If they are defeated, they expect to retire from office. If they are successful, they claim, as a matter of right, the advantages of success. They see nothing wrong in the rule, that to the victor belongs the spoils of the enemy.

But if there be any thing wrong in the policy which the senator from Ky. has so strongly reprobated, he should know that this policy was not confined to the minister to London and his friends in New York, but is practised by him, (Mr. Clay's), own political friends in that state; he should know that if to one man more than any other now living, the existence of that policy is to be ascribed, it is to one of the senator's own political friends. The practice of making extensive changes in the offices, on the change of parties in that state was begun, I believe, before the nominee was upon the political stage; certainly while he was quite a young man, and before he had acquired great consideration in political affairs. I must be permitted, sir, to say, that, of all the party men with whom I have acted, or been particularly acquainted, (and the number of such is not small), I know of no one who has acted with, or advised to, more moderation than the person whose nomination we are now considering.

When the senator from Kentucky condemns the present administration for making removals from office, and then ascribes the act to the pernicious system of politics imported from N. York, I fear he does not sufficiently consider the peculiar circumstances under which the present administration came into power. General Jackson did not come in under the same circumstances that Mr. Adams did, or Mr. Monroe, or Mr. Madison. His accession was like that of Mr. Jefferson. He came in, sir, upon a political revolution. The contest was without a parallel. Much political bitterness was engendered. Criminations and recriminations were made. Slan-

ders of a most extraordinary character flooded the land. When the present chief magistrate took upon himself the administration of the government, he found almost all the officers, from the highest to the lowest, filled by political enemies. That his cabinet was composed of his friends no one will complain. The reasons for thus composing it will apply with considerable force to many of the officers under the hands of the several departments.

If the dismissal of the subordinate officers in these departments were made, it will not be asserted that all opposed to the administration were discharged. I have heard it confidently asserted, by those who I supposed spoke with knowledge on the subject, that many, perhaps majority of those retained—and almost all were retained—belonged to the opposition—they are the political supporters of the honorable senator from Kentucky.

I have good reasons—very good reasons, for believing that it is the gentleman's rule of conduct, to take care of his friends when he is in power. It requires not the foresight of a prophet, to predict, that if he shall come into power, he will take care of his friends, and if he does, I can assure him, I shall not complain; nor shall he be in the least surprised if he imitates the example which he now so emphatically disavows.

Now I am up, I will offer a few words relative to the much censured instructions to our former minister to England. I must say, I have discovered in them nothing to merit or provoke the harsh strictures bestowed on them. They do not, in my opinion, furnish a fit occasion for the senator from Kentucky, to impute to Mr. Van Buren, as he has done, with passionate emphasis, the frequent violation of a charge of fidelity and culpable ignorance. The language, which he desired might be taken down, is, "that Mr. Van Buren stated what was false or that he was culpably ignorant for not knowing that it was false." The instructions allege, that those who first asserted certain claims to interfere with the regulations of Great Britain, as to the colonial trade, abandoned them. The senator from Kentucky chooses to consider this a declaration, that the administration first asserted the claims, and then abandoned them. If we admit his construction to be the true one, to what does it amount? He does not deny—indeed it is expressly admitted, that the late administration asserted the claims, and then waived them.

What is then the mighty difference between the assertion in the instructions, and the fact as admitted here? We are told that the instructions were not the first to assert them—that they were set up under the administration of Mr. Monroe. If this pretended falsehood is of such flagitious character as has been given to it, it is natural to expect that it would change very materially the meaning of the sentence. It there be the least error in the instructions, it is in the use of the word *first*; strike out that word and let us see whether the meaning of the sentence is materially changed. Why then the late administration was the first to assert the claims, and then gave them up or asserted them after they had been previously asserted by Mr. Monroe's administration. If there was any thing wrong or reprehensible in asserting claims or pretensions, and then, give them up, the course incurred by the late administration for so doing, is not much mitigated by the circumstance that a preceding administration had asserted similar claims or pretensions. It appears to me that if a cause of censure had not been very much waived, such an one as this would not have been hinted up and put forth as presently.

The manner in which our late minister to London was instructed to conduct the negotiation, may, for ought I know, be unusual; but it does not appear to me to be censurable. The whole affair presents itself to me as a very plain matter. The British government, by their act of parliament of 1815, offered to the United States a participation in the trade with her American colonies on certain conditions, the particulars of which it is not at all necessary now to consider.

The administration, for some reason or other—probably in the hope of getting better—refused the terms offered, and claimed more advantageous ones as a matter of right; but afterwards, finding, I presume, that better terms could not be obtained, and their claim of right could not be sustained, concluded to take those that were first offered and had been refused. When they proposed to take these terms, the British government told them they were too late, and positively refused to grant what it had before offered. The colonial trade was lost to the country. The late administration attempted to recover it—they made more than one attempt to open a negotiation with the British government, for the purpose of obtaining that trade on the very terms on which it had been offered to, and refused by them. This was the situation of affairs when that administration went out of power. The commercial interests of the country required that their successors, who thought the terms offered by the British government should have been accepted, should make an effort to regain that important trade. As negotiation had been repeatedly and peremptorily refused to the government of the United States, it was necessary to offer some excuse for attempting it again. That excuse was formed in the public and notorious fact, that the administration of the affairs of the United States had passed from the hands of those who had refused the offered terms, into the hands of those who thought the offered terms ought to have been accepted, and who conceived their predecessor to be accepting them. Mr. McLane was instructed to use this fact to remove any obstacle to opening the negotiation for the recovery of the lost West India trade, in case any obstacle should be interposed on account of the manner in which the late administration had managed this affair. I confess that I cannot see any thing wrong in these much censured instructions. I see no involving of favors on party considerations—no subordination of honor or dignity. Gentlemen may call it a conspiracy; but I call it a plain dealing, and the result has shown it was a successful negotiation.

Remarks of Mr. Miller.

Mr. President I understood the honorable senator from Massachusetts, when he addressed the senate early in the debate to

say, that he intended to move to have the injunction of secrecy removed, with a view that the public might be informed as to the grounds upon which this nomination had been opposed and supported; and, from the expression of opinion from those around me, I have no doubt but that motion will prevail. The situation in which I stand in relation to the parties here, and at home, require me briefly to assign my reasons for the vote I shall give. I may be permitted to declare I have the most perfect respect for this body, individually and collectively. The observations I shall make are to be shown to the public, the senate, and my constituents for a specific inquiry into the conduct of those who stand around me, in the hurry of debate, making of severity on the conduct of the nomination, it will be considered as springing from a conscious sense of what I owe to myself and the state I do represent; and not as, in the slightest degree, to implicate the feelings of any one here, much less influence their opinions. Thus called on to give a vote on a responsible and delicate subject, it would have been desirable that I should have the same grounds to rest on which others have had who have remarked in the debate; but I have not this consolation. Upon this question I am isolated, and have reasons which have not as yet been brought forward, which are peculiar to myself. I stand here like one of the sons of Ishmael, my hand is against every one, and the hand of every one against me.

The senator from Mississippi (Mr. Poindexter,) said, on yesterday he had heard, in his absence, that a motion had been introduced for a specific inquiry into the conduct of those who stand around his superintendence, of the state department, and that this inquiry had been resisted by his friends. And I understood the honorable member from Georgia to say, the senator from Mississippi was misinformed as to the course of the friendship the nominee on these motions. Sir, it will be recollected, when this appointment first came under consideration, that I suggested doubts upon my mind in relation to it. I supported the motion to refer it to the committee on foreign relations, desiring to submit myself under the authority of that most respectable and enlightened committee, upon several points incidentally thrown out, such as to the cause of the late dissolution of the cabinet; the propriety of having a resident minister at the court of St. James' when we had only a charge of affairs from that court here; and the propriety and reasons of the recall from that court of our very popular minister, Mr. McLane. It was then urged by a senator from Georgia (Mr. Kane,) a gentleman of high intelligence and sterling character, that the character of the senate required the investigation, after the suggestions thrown out by myself. I certainly did not intend to put the character of the senate in issue by any thing thrown out by me; nor do I think it was so placed; but it is equally certain I meant, and had the right to put the character of this applicant for office in issue, so far as to clear up my objections to him; if unclouded thereby. When the resolutions of the senator from Maine were under consideration, I did not entirely concur in the propriety of sending them to the committee. There were objections to the call made on the president, which might involve the senate in difficulty. I doubt the expediency of one branch of the government ever formally asking another co-ordinate branch to state the reasons of its conduct. There are questions of privilege of a delicate character, which ought not to be sported with. We ought not to put ourselves ever in a position to be insulted with impunity. When we make a call on the president, it ought to be such a one as we have the right to insist on being responded to. Hence early in the session, before I was yet warm in my seat, I objected to the call proposed to be made by the senators from Maine, on the subject of the northeastern boundary. I voted therefore with the mover, to lay the resolutions on the table; but I certainly did believe that those who voted against laying the resolutions on the table, were not in a position to be insulted with impunity; and must admit, any impression as to the course the friends of the nominee did send, are in confirmation of the views taken by my friend from Mississippi. I can scarcely be mistaken on this matter; but lest I may be so, I take the liberty to put directly the question to the senator from Georgia, (Mr. Forsyth,) whether he did not by voting to lay on the table the resolutions of the senator from Maine, intend to follow up his vote, if successful, by voting to reject them (Mr. Kane,) replied rose and answered, that he did intend so to vote, to reject them.

I perceive I did not err in the opinion I entertained of the course of the friends of the nominee, and in conformity with what was suggested by them, I have taken the trouble to inform myself on some of the points. Yet I still would be satisfied to let a committee be charged with this subject, should the friends of the nominee require it. Otherwise, from the facts I have heard and believe (the names of the gentlemen giving the information are not authorized to be given up); they are the most intelligent and respectable, on whose statements I rely most implicitly, I have determined to vote in the negative on this question. The gentleman from Georgia has told us, that he is both the personal and political friend of the nominee. In this he has the advantage of me. I never had the honor to see him; I did not happen to meet with him in our pilgrimage, once considered myself his political friend. I must not, however, be misled by the names of those who may be considered the faithful adherents of the present administration. I am left to follow, untrammelled by the force of party, what is right, approving what is commendable, and censuring what is reprehensible. Upon the objections of a personal and political character, I reckon not the least the agency he has had in situating the president from a portion of his old and not his votary personal friends, his friends and supporters, rendering a very respectable and useful service to the people of South Carolina distressed, moreover less, to the chief magistrate, whom they have formerly held in the highest estimation, as well for his public services as for his supposed sound political principles. For my own part, I was hired up with a personal regard for the cha-

rector of the president—he was the native of my own district, reared up by one relation, and him self the patron of another. My father was his friend—he taught my elder brothers and sister the first rudiments of their education. I hope the senate will pardon me for reading a sentence or two extracted from an address made by myself previous to his election, as illustrative how far I sustained him, upon personal as well as political grounds.

Extract from a speech at dinner at Sumpter, 1828.

"Permit me to return you my sincere thanks for the complimentary notice it has pleased you to bestow upon old Waxaw. He must have a heart as cold as marble, who does not kindle with enthusiasm at the mention of his native land. My kindest and most endearing recollections are blended with that little spot of land to be found on our map, between the angle made by the North Carolina line and the Catawba river. It was there I was first made to admire the fame and the talents of Davie. It was there that Jackson was the idol of the country, in the mild radiance of his youthful virtue, a long before the lustre of his name, as a distinguished and able general, had overpassed an admiring and grateful nation. While all of us are proud that our state has the honor of presenting to the republic a great a man, I can assure you that Jackson is equally proud of the land of his nativity. We have a guaranty, in the philosophy of nature, of his local attachments. Should your predictions and your hopes be realized, and the 4th of March next shall give us Jackson as our president, the triumph will be one of magnificence and grandeur. It will be a triumph of the people, over the power and patronage of the government—it will be a triumph of the spirit of the constitution over its abuse and perverted exposition. We may then hope to see, and to elect, a practical and common sense administration. No light-houses in the skies—no splendid missions—no entangling alliances—no governmental excursions to bring out the capabilities of the nation, by partial, unjust, and unconstitutional legislation. Bred up in the Jefferson school—elevated by the democracy of the country, we shall look to him to restore simplicity and economy. We shall see a pure patriot, who, having power and influence, will use it to add not to the prosperity of the union, I then will the enemies of the constitution be confounded, and its friends rejoice at the illustrations. It will be emphatically a great day to the American people, and a glorious one for S. Carolina."

Now, sir, it will, I think, by almost every one who hears me, be admitted that the events of the present administration have not entitled me to much consideration as a prophet. Indeed, immediately after the address a very distinguished and highly valued friend of mine, now in the city, was older and better acquainted with men than myself, wrote to me and pleasantly remarked that so much of my address as alluded to General Jackson, was *ad captivandum* he presumed. But I replied, with the greatest sincerity, that I did hope and believe if he were elected, should appoint a strong cabinet, and bring about him the best talents of the country, his decision of character and purity of purpose, aided by sound constitutional advisers, such predictions would be verified. That the y had failed signally, and hence now to the one who alludes to the local attachments of General Jackson, to S. Carolina, I readily admit, and for that failure, as far as my vote will go, I intend to make the nominee responsible.

I happened to be in Charleston, from which place I reside some distance, when the news of the late cabinet was announced, although none of the rumors, of dishonest and disturbing character in relation to "Barham" and Mr. Eaton, had taken hold of the public mind, his appointment was unpopular. And the 4th of March was not considered as an infelicitous manifestation of popular gratification, owing to the objections taken to the cabinet by some of the distinguished citizens of Charleston, not now my political friends. It was urged that Mr. Eaton had never the talents, the weight of character, or scientific information, to make efficient and successful the administration.

Although it was understood that the gentlemen in congress from South Carolina—who abstained from any opposition, who toiled gallantly in the house, and at home in the canvass, did not seek any reward but an honest and faithful administration of the government. It was supposed by us at home that their claims would not be overlooked.

I believe the president did go so far as to tell the eminent and accomplished gentleman now chief magistrate at South Carolina, but for his violent and decided anti tariff sentiments, he would have made him secretary of war. Sir, I regret to find that I think the American people regret it. There were considerations of a political nature, which would have made this a most felicitous appointment. The popular attractions of this gentleman, his talents, his manners, and finally bearing, might have staid the rapid decay of public confidence in the administration of the national government in general, and furnished a better ground for his friends at home to suppress their expressions were less substantial if he participated in their perceptions. Sir, the organization of the cabinet was, no doubt, the result of an impetuous and preconceived scheme, to make the nominee the successor, and Mr. Eaton was the instrument through which it was effected.

Mr. Branch, from North Carolina, Berrien, from Georgia, and Rives sent to France, from Virginia, were intended to complement those states. South Carolina was skipped in the arrangement, and why? It was because you rejected them. You made the obstacle to the approach of popular favor with the administration at its commencement, even up to the moment Van Buren was introduced into South Carolina—upon the adjournment of congress, 1830, no doubt the result of a preconceived by a back from the mountains, and a wave from the shores at the same time. From that time, the claims of our citizens were, for the first time, taken notice of. Those only confined to the party who now favor the pretensions of the nominee. Sir, we have an appointment now on the table of charge of affairs in Belgium, a Frenchman who, *par excellence*, claim to be the union party—one every way wor-

thy of the trust as I have already borne testimony to, and I am told we have another arrival today from the same quarter in quest of executive favor.

Nothing will be left undone which is presumed likely to give the minority the ascendancy in South Carolina. Every man of any consequence among them has a right to expect something—vice president, governor of a territory, minister, or charge of affairs, of something else. And where are they? We are informed of their existence by their memorial presented against the tariff and nullification. As they have come into the senate as a party, I shall speak of them as such. The great body of this party, resident in Charleston, took it into their heads, on the last 4th of July, to celebrate that day as a party, and sent for foreign aid, made a formal communication to the president to continue their assistance—something after the manner of the instructions to Mr. McLane—and the aid was furnished in a letter containing a threat against the opposite party of military force, to coerce state legislation to conform to federal legislation. Sir, this letter has given umbrage to the majority of the Jackson party in South Carolina, for the other party is composed principally, I mean in Charleston, of Adams men; men who look to the general government for favor and patronage, who follow the changes of successive presidents like the sun flower does the sun.

This letter has been publicly censured in the popular meetings of the people, and by the legislature. I hope I will be excused for making a single remark upon the character of the threat intimated in this letter. It sometimes happens that our most able and distinguished men, those most favorable to constitutional right and civil liberty, in the possession of private power, do forget right—Such was the case with that great apostle of free institutions, Mr. Jefferson, when he took it into his head that because he wished to see laws faithfully executed, he had a right to use the military force of the United States to turn a private citizen out of his possession of what was thought by him, the then president, public property. (I mean near the battery, New Orleans.) And pray how did he escape the responsibility of the law for so doing, when he was sued for the value of the thing? Livingstone, who is now writing a learned book, in the shape of instructions to his lawyers about the legal right of the United States to the property in dispute, but by his counselling pro nullity; placing his defence on the technical legal ground, that he could not be sued in Virginia, for a trespass committed in Louisiana; certainly, not a very meritorious defence, for the military head of the nation. Well it may be asked, what would be the result of the president sending a military force against the state laws of South Carolina. Sir, if he headed his force himself, one of our judges would wring him with a rule, as Dominic Hall did, when at the head of his army, and if he did not obey the rule, he would be committed. We have his own precedent, that as a peaceable citizen, he would submit to the constitution, which makes the civil authority of a state greater than the military authority of the United States.

Without resting wholly on the objection taken to the exceptionable circumstance, in which Mr. McLane is desired to place his own government in the wrong, I agree entirely in the force and power of the arguments against this appointment, in that particular. It will furnish a decided reproof to such public functionaries as desire to compromise the national honor, from personal motives. I consider the attempt to suture Mr. Van Buren under the responsibility of the president entirely indefensible, he is, in law and in fact, the man who is responsible.

Would any one consider the president responsible for the position taken in the last report of the secretary of the treasury? We have his report distinctly at variance with the president's views on the bank, and alleged to be his own, for which the president is not responsible. Here then is proof that the heads of the departments are considered the responsible organs of the government, in their respective spheres. I deprecate as criminal all efforts by politicians to avail themselves of foreign assistance, who then it is an attempt of union men in South Carolina to enlist in their cause the general government, or secretary of state of the United States, to propitiate Great Britain. My patriotic prompts me to go for South Carolina against the United States, and the United States against the world. No statement of correct feeling or correct principles would ever as to a foreign government put his own in the wrong. I know it is often the practice of secondary men, those who find themselves in the back ground at home, to take such a position as will make them popular abroad; I do not envy such men their inglorious distinction; I want no better evidence of the want of good sense, or good feeling, to find any one setting himself up against public opinion at home, as the champion of an interest abroad. It remains yet to be seen whether the great benefits of this treaty, achieved by rebellions on the constituted authorities of the nation, will be more substantial than the amazing favor, of granting, by special grace, the anti tariff and anti nullification memorial, to go to the committee on finance.

I have understood upon the best authority, a member of congress then, but now, that this odious tariff act of 1828, became a law owing to Mr. Van Buren's failure to redeem a pledge to vote against amendments, which would have prevented the nullifiers to a certain extent, voting for the same, thereby, after putting his hands on a political firebrand in a more substantial than would have been, had they have treated him as inimical. With these evidence of a faithless conduct towards the southern interests, he could scarcely expect to become a favorite with those whom he had deceived.

Sir, one of the most decided objections I have to the confirmation of this appointment, is, that the most active influence of the patronage of the government was exercised with a view to make this nominee at the end of the present incumbent's term of office, the president. I believe this power was exercised for this purpose, to a criminal and corrupt extent. I have been informed

by a gentleman of the most unquestionable integrity and high character, that the post office patronage was avowedly lent to this purpose; and that within one month after the late secretary of state took possession of the seals, the postmasters, by order of that department, were appointed upon this principle, removed or retained by this criterion, and some very singular specifications of the circuit through which the applicants made their approaches and sent in their adhesion, were detailed to me. The senator from Maryland, (Mr. Smith), has told us of instances in Maryland, in which the proscriptive principle was not applied to the friends of the late administration. Sir, that was not the test. It would have been more satisfactory to have known whether, in the exercise of the rule, some indication was not afforded to those who were preferred, that Mr. Van Buren for president. This was, I understood, the passport, the Shibolet, which admitted to the treasury through those departments under the control of the secretary of state. This is not all: I am informed, he introduced, under his patronage and influence, mere boys into profitable appointments, one not more than 16 or 17 years of age, in the most wanton exercise of official favoritism, thus perverting the public trust, and abusing his power not only in turning out, but in turning in.

In the south the proscriptive system never was adopted, nor could it be. It is so odious—so much at war with the principles of justice, that no administration could venture to adopt it in S. Carolina. For my own part I do not think the power to turn out one man and put in another, as a mere arbitrary exertion of executive authority, does exist. I think it a violation of the constitution, and I think myself to maintain any course which this senate can adopt to restrain the use of such power. It is the essence of tyranny, and the precedent on which it rests is to be found in those gloomy days of federalism and consolidation, when those of the convention which formed our constitution, who wished to have a monarchy, were entrusted with the new government as the friends of the constitution; when the preamble to the first revenue law was interpolated with an imbedded power, when the judiciary act was enacted, when the alien and sedition laws were considered constitutional; when, in fact, it was thought nothing but fair by the advocates of monarchy and executive power and supremacy, to acquire, by construction, under the constitution, what they failed to get in the convention. I am prepared to put my negative on its exercise. It is at war with civil liberty and the genius of our institutions, and ought to be abandoned or prohibited. I am perfectly satisfied that practices have been introduced in its most odious form, and brought secretly to bear upon the president by a ringleader left here in the interest of the nominee.

Again, sir: It is pretty generally admitted that the court party was established under the auspices of the late secretary of state, and speaks his sentiments, and acts under general instructions to pursue such a policy as will bring him into power.

One of the means resorted to, to effect this purpose in the south, is to strengthen the northern or union party in South Carolina, who are supposed to be friendly to him, and use up the love of union with the lure of peace; transfer through the affection the people bear to the president, their attachment to his favorite, and to widen and accerate the president towards his old Carolina friends; hence, when no hope exists for whipping in any one into the views of the central frugency, the most bitter denunciations are pronounced on them "by authority." Thus, when Branch, Ingham and Herndon, honest and honorable men who know the strength of the court party, even express a willingness to act on principle with the administration notwithstanding their personal wrong, the understrappers of the nominee tell them they are influenced by fear of the people. In pursuance of the same reckless spirit of hostility towards those it is my pride and my honor to be identified with, while this nomination is pending, the following article appears in the Globe:

"It is evident that the political leaders of the nullifiers are not ready to come out in open hostility to the president, because that would go to defeat their own efforts to control the state of South Carolina, and while they cunningly contrive to keep a footing among the South Carolina Jacksonians, gradually to undermine him there, they proclaim to the rest of the union that they entertain feelings of gratification in considering the late message of the president as affording indications of a change more favorable than heretofore to the principles maintained" by them. Thus, it is hoped, will operate against him in the other states. The Columbia school of politicians would do honor to such a master as Machiaveli."

I submit whether I do not stand justified in the opinion of the senate, in pronouncing this a wanton and unwarrantable calumny. Look at the message. It is skillfully framed to please the south with general phrases, suited to the tariff interests. Look at the treasury report, in which a measure is established on the plank with the message; and I must ask where is the strongest proof of Machiavelism to be found in the federal papers or the state resolutions? [Here Mr. Miller read extracts from papers from Pennsylvania, to show that the message was understood there as in S. Carolina.] Sir, the present administration seems disposed to test indifferent and well secured supporters, by a rule resorted to against farmers or hunters, to select from a redundant kernel what superannuations can be made by the ruling party. For my part, I am determined not to place myself in the power of such political friends as will attribute my support to fear, and not to principle. As soon as I vote for the nominee, I shall be told I dare not do otherwise, your friends at home attempt to break down the president by praising him, and they dare not do it openly, and you vote for Mr. Van Buren to injure him, not from any principle of attachment to the president, but because you want to make the tariff states believe he is anti-tariff, and thereby break him down upon the Machiaveli plan. We are told we dare not oppose the president. Sir, the people I represent dare do any thing that brave and generous men dare do; and

standing here I dare speak the truth and vote against the principal, who uses such agents to represent them at the court of St. James. I believe, sir, the statement read by the senator from Mississippi, as to the nominee's reason for the dissolution of the late cabinet, in his friends in New York; I believe he did say that it was owing to a conspiracy formed by the vice president, secretaries of the navy and treasury and attorney general, to exclude a virtuous woman from society, and I do believe that in making this statement he did not speak the truth.

I believe, moreover, from the information before the public, that he planned, was the beginning and end, the Alpha and Omega, of the breach in the personal friendship between the first and second administrations, and that the motive may be found in the circumstances, and the motive is as palpable and manifest. Who else had any interest in raking up these by-gone transactions in which you acted your part honestly and faithfully, both to the public and general Jackson? Sir, I recollect something of the Seminole war. It was in this dark and difficult hour of the president's life, that I first saw, and first had an opportunity for manifesting my friendship to him, at a time when the sedate and venerable fathers, such as Mason, Barbour and Smith, of South Carolina, loomed and spoke in dark hints of censure and reprobation; I declared my determination to sustain him right or wrong. I felt grateful for his military services, and would not censure him while he was the exponent of our government in a quarrel with Spain, to censure him. I recollect to have heard the doggerel verse about William Fell, affirmatively applied to me by the senator from Kentucky, then a speaker of the other house, who told me as an insult, stood forth publicly and boldly in connection to him. I recollect also that my friend from Mississippi took in that debate. He was the able, eloquent and accomplished advocate of his military fame, and when he concluded was cheered from the galleries—but where was the senator from Georgia?

If I mistake not, Cobb, Crawford, &c. led the VAN of attack. After all, this matter was rather excusable than justified. It was the generous attachments of young men, and not the sober judgment of the old statesmen, that sustained the nominee in the Seminole war; and I am at a loss for any good reason to re-suscitate it, except to enable parties to change position. With all the hazard of differing from the senator from Georgia, I declare my determination, in the execution of the appointing power, to hold any one as criminal who boldly, openly, and indecently invades public sentiments and public morals. As the guardians of female character, we must sustain the majesty and supremacy of the laws, and the sacred conduct of the commanding general in the Seminole war; and I am at a loss for any good reason to narrow down the distance in society which separates the suspected from the modest woman, and upon such information as satisfies me I believe the nominee obnoxious to such a charge. The gentleman from Georgia has, in bold and eloquent language, asked for the nominee, at the hands of the senate, justice. Sir, I will give him justice—the measure meted to others. I will give him him. With cold and Sardonic smiles, he dismissed from office the most faithful public servants, without any reference to economy or the public interest. He proscribed the Carolinians—recalled a popular minister from the Russian court, the son of one of the signers of independence, and sent the Roanoke senator, relying on his influence in the good old dominion to further his pretensions. He recalled Mr. Poinsett, an accomplished gentleman, from Mexico, and sent a French character, a gambling statesman, a Carolinian by birth, it is true, but one who has long ceased to cherish or honor his country. These are not my political friends, but they are my countrymen.

I may do injustice to the state department on the question or real of Mr. Middleton, Mr. Poinsett, and Mr. Watts. I do not know whether they desired to be recalled or not, but presume they did not.

Sir, I do not complain that our favorite sons are unrequited for their faithful services or turned out of office. It is not this which calls forth my censure and indignation. It is the belief that my friends and fellow citizens are hunted down with savage ferocity, not for political opinions, but because they are supposed to be your friends—that we will not make war on you, is the heresy which must be expiated with fire and flog.

And shall we not retaliate? I hold the nominee responsible for this breach in our ranks. Nay, more, I hold him responsible for the unbecoming pledges made to the public, pending the late presidential canvass. What were they? One term of service as president; retrenchment of public expenditure; no official tampering with the press, to perpetuate the dynasty; no selection of members of congress for offices of profit. Public expectation on these topics has not been realized. I excuse a generous confiding president, and hold the wily subtle sniveler and his subalterns liable for the failure. I will pay a portion of my share of the debt by putting my veto on the appointment.

Sir, we are told, if we reject the nominee, we shall surely make him vice president, and such is the substance of a letter before me from one of his confidential and favored editors. No one can mistake the object of the Baltimore convention; it is to nominate him in any event. Look at the source whence it originates; observe the double delegates from Ohio gotten up under the central influence of Mr. Fremont, in a hall, in a bar, in a saloon, and ask, whether it can be made fire on our side or not. I shall not resort to the common pretence of left-handed friendship, and place my reasons for voting on the ground that he is too useful to be absent. I shall do what is my duty, and let the consequences take care of themselves.

In closing my remarks on this somewhat exciting topic, permit me to express my acknowledgments to the senate for their consideration, while I have stated in a hasty and uncorrect manner, the reasons of my dissent from the claims of the nominee to public confidence, and the reasons of my refusal to vote for his confirmation.

Remarks of Mr. Forsyth in reply to Mr. Miller.

Mr. President: We are told by the senator who has just concluded, in the beginning of his extraordinary speech, that he intended to publish his remarks for his own vindication. No friend of Mr. Van Buren will complain of the fulfillment of this intention.

Of the long list of offenders committed by Mr. Van Buren it was natural that the senator should begin with those at home. He says general Jackson has been separated from him and his friends by the artifice of Mr. Van Buren, and he tells us of his own zeal and devotion to the hero of New Orleans, and read extracts from his own speech at the Waxaw, when he assured his auditors that "the philosophy of nature" was "a sufficient guaranty" for the general's "honor and attachments." It is almost incredible that Mr. Van Buren should have so wantonly misrepresented the services of a man who is exhibited; and with due deference to the senator, I would suggest that he was very mistaken in his theory; "the philosophy of nature" was not so strong a guaranty as imagined. Not, is what is insinuated, fact? Has general Jackson forgotten his local attachments, the land of his birth and of his earliest affections, where he has so many devoted and disinterested friends? No, sir, it is not possible general Jackson has not separated from South Carolina, nor has South Carolina yet withdrawn from him, although the senator seems to be earnestly hunting up causes for a division.

The radical party in South Carolina—the unionists—have the senator say, given in their adhesion from interested motives to Mr. Van Buren for the succession to the presidency—and this is another of his crimes. Now, sir, I do not know that it is true that they desire the succession for Mr. Van Buren; certainly they might go further and farther, and fare much worse and not get quite so far. For this supposed interested adhesion they are stigmatised here by one of their senators. Am I trading, Mr. President, upon almost forbidden ground; traveling into a neighboring state to mangle in its party strife; but I feel for these radicals—these unionists; we acted together in bygone times; we think alike still; and if I were not to say a word in their behalf, as the two senators of the Senate are of the party opposed to them at home, they might chance to be condemned for the want of the plea of not guilty to the charge exhibited against them. Under these circumstances, I stand bound to repel the imputation cast upon the anti-nullifiers of South Carolina, and taking up the evidence, shall prove that they are unjustly charged. What is this evidence? The senator who makes the charge on the question of the Seminole war, stood by the general with firmness and zeal; defended him right or wrong. The radicals were among his reprovers, and the question is emphatically asked, where was Georgia then? Georgia then was where she is now, and where I trust she will ever be found, by the side of the unionists, standing up for the right and reprehending the wrong. The senator seems to imagine that the true patriotism consists in favor of one's friends, in seeking to discriminate between truth and error. Such is not our theory—for violated laws, we hold all responsible, friends and foes. Recent developments have shown that general Jackson had means of defence he did not use, but if there is one Georgian, one radical, who regrets the part he took on that transaction, I thank God, to me, he is unknown. I trust, sir, that to none for his own error in defending what he now insinuates was wrong, he does not, under the power of some master feeling, intend to censure every thing that is right.

Mr. Cobb and Mr. Crawford have been named by the senator. Mr. Cobb is no longer among us to answer. He did his duty, according to his conception of that duty, in this and in other acts of his public life. His friends know that his conduct was open, and his motives pure. The ground he stood upon here, he never abandoned while he lived. Mr. Crawford, I am surprised the senator should think—[Mr. Miller said he alluded to Mr. Crawford (Joel) a member of the house of representatives when the Seminole question was agitated.] I am glad to be corrected. Mr. Joel Crawford acted with his friends, and it is guilty of the charge of having voted for ransoming into the Seminole war. He lives to remember not to regret that act.

This union party, which seems to haunt his imagination, if I am not strangely mistaken, had the honor, a short time since, to number him as a member of it, [Mr. Miller denied that he had ever been.] Well, sir, the senator ought to know; but in this fact, I cannot be mistaken—the senator was a candidate, brought forward by this party for the state government, and the charge of participating for two years in the elevation of the accomplished gentleman who now stands at the helm of her affairs. The recollection of that fact should have prevented a charge against them of being, from selfish motives, sure of office, devoted to the dominant power, following like the sun-flower, the motions of the ocean sun. To this last charge, I do not plead for them; not guilty; they do follow, like the sun-flower—the sun-flower does not change its motion for the ocean, or its shade of blue, or its color, or its elevating its broad face to the light of heaven, it stands unchanged, and is found when he sets in the western, as it stood when he rose in the eastern sky. Poetically understood, as Ovid describes the heliotrope, the senator is right, what is good in poetry is not always good in prose, and the charge is, that for interest sake, the South Carolinians, unfriendly to the senator, know no will but the president's and are obedient to his whistle.

We are taught to expect a shade of them here seeking as the rewards of devotion, honors, and trusts, foreign missions, &c. &c. one of them being already before us, as the avowed courier of a thousand more! No allusion could have been more unfortunate. Who and what is the gentleman at whom this arrow has been cast, the first of the school of office seekers? Why, sir, the senator himself speaks highly of his character. Described by his colleague as a high-minded man, of extensive information, and unimpaired integrity, in whose hands the elevation of the interests of the people may be safely confided. And are such men office-seekers, and interested devotees to existing power in South Carolina? If so, what

are the patriots? They must be angels. They cannot be men. The senator may eulogize his friends to the utmost of his power, exalt them in the seat of talent and integrity to the highest pitch, I venture to place his opponents by their side, and challenge comparison without fearing or intending to depreciate in the slightest degree the honor of any of S. Carolina's distinguished sons.

The arrangement of the first cabinet did not please the senator. South Carolina was neglected. Governor Hamilton was told he might have been secretary of war, but for his violence against the tariff; and what seemed to have added venom to the sting, South Carolina was not only passed over, but an attorney general was looked for in Georgia; and all this was the work of Don Daniel of New York. The senator is difficult to please. He liked not the first, and likes less the second cabinet. But how was the fact in regard to governor Hamilton? If my memory deceives me not, he has publicly declared he might have had office, had he desired; he did not desire it. In this, and in all other things, he is incapable of deceit. Passing over the unpardonable offence of going to Georgia for a member of the first cabinet, does the senator really suppose the elucide of the late attorney general was the work of Mr. Van Buren? [Mr. Miller nodded an assent.] The senator never committed more egregious mistakes. Of late the man of the day, his equals in professional attainments and talents, admitted to be great, I think he is the last man who would have been selected by Mr. Van Buren and sure I am, Mr. Van Buren, is the last man on earth to whose influence the attorney general would have been willing to owe his place.

Considered as the originator and the fosterer of the disagreement between the first and second cabinets of the government, Mr. Van Buren is to bear the extremity of the senator's wrath. On this subject, Mr. President, I can only refer the senate to the explicit and prompt denial of the justice of the charge by the party accused, long since publicly made, and never yet impeached by any one having a claim to character. The facts before the public prove that the charge is the coinage of a distempered brain, baseless as the fabric of a vision. If the senator has any desire to clear this for his reputation, I repeat what he has said, and positive denial, in the name of an absent friend; and if he ventures upon the investigation, I pledge myself to satisfy even his pre-occupied mind, that not a shadow of suspicion can rest upon Mr. Van Buren's fame. I speak on the highest authority, when I state to the senate, that his deportment in relation to this controversy, deserves the respect and admiration of every honorable and disinterested mind.

The Globe, the Globe! the official paper, has abused the senator and his friends. The editor was brought here by Mr. Van Buren, and he is accountable for all it contains—all that is bad, I mean; he gets credit for no good, appear where it may.

This charge is made because the Globe is called the government paper, Mr. Van Buren and the government being previously identified. I must not be misunderstood as defending the editorial management of the Globe. I see with regret many attacks on persons for matters that ought not to be brought before the public. I detect and investigate of the private transactions, all malignant scrutiny into the every day business of political aspirants. Their private characters are known to the people; and so far as character should operate to their prejudice, it will be weighed. Even the denigrative recommitments of the Globe, deserve censure. But, sir, I do not admit that Mr. Van Buren or the administration is responsible for the lighter offences, much less the enmities of any newspaper, written even for the Globe, which, as the gentlemen may consider it, is as pure as this uncolored sheet, compared with the journals that are published by its side. But does the senator mean to assert that every one who aids in the establishment of a newspaper, is responsible for its enormities? Will the senator consent that his friends and all his opponents shall be judged by the same rule? I ask him to glance his eye back over the history of the press in this district for a few past years. Does he remember the Federal Republican, the Washington City Gazette, the Washington Republican? Does he know any thing of the National Journal and the United States Telegraph? Has he present to his recollection the atrocious calumnies by which they have been polluted—their dark insinuations and open falsehoods by which the reputation of the virtuous of both sexes has been wantonly and grossly assailed? Blame has flown—all flew in all corners of our country as if borne on the wings of the wind. If all these things are present to his view, will he admit that those who patronize these journals were participants in the hateful crime? Can he trust the reputation and honor of his friends to the application of his own rule?

[The vice president asked if the senator from Georgia had any allusion to the occupant of the chair?]

Mr. Forsyth. By what authority, sir, do you ask that question? The vice president said the allusion appeared to be so direct, he had a right to ask the question.

Mr. Forsyth. I deny the right; and if it is considered as a question of order, I appeal to the judgment of the senate.

The vice president said if the allusion was directed to him, there was no foundation for it.

Mr. Miller rose and addressed the elisor.

Mr. Forsyth said the senator from Georgia, who he said was in some danger of losing between the chair and the senator.

The vice president said the senator from Georgia is entitled to the floor.

Mr. Forsyth. That being understood, I give way with pleasure to the senator for any explanation he may desire to make.

Mr. Miller explained, and concluded by saying—as to the rule by which he judged others in relation to the official press, he was willing that it should be applied to himself and his co-workers.

Mr. Forsyth replied to the argument as explained, and then said—As to the public press, the senator consents that he and his friends shall be judged by his own rule. Then God help the senator's friends, for they are beyond all human aid, and so are all

those who patronize and support, in times of high party strife, a thorough bred partisan newspaper. Leaving to others to adopt or reject the rule, and to apply it or not to the patrons and supporters of the Journal and Telegraph, and to the former patrons of the Washington Republican, the Washington City Gazette and Federal Republican, I deny, emphatically, Mr. Van Buren's responsibility for any article in the Globe. If the senator will produce a satisfactory proof that he has been instrumental in establishing a press here or elsewhere, for the purpose of dragging down by calumnies any good man's name, my vote shall damn him here—my voice every where.

In the spirit of manly frankness, not in the spirit of this discussion, I appeal to the senator to reflect upon the irreconcilable contradiction between all his conclusions to Mr. Van Buren's prejudice, and the charge of the chief magistrate, and the character of the president with his present friends and the people, but according to his own conceptions of that character before the president had the misfortune to think that the senator and his friends were pursuing a policy dangerous to the union of the States. He was, described by the senator, all that was good and great, and performed with the purest patriotism more important services than any man since the days of Washington. His known firmness has been called in evidence, by his adversaries, as the character he held up by his enemies as a roaring lion, requiring implicit obedience from all who venture to approach his den. Take the good or the bad of this description—Judge this matter by the opinion of the president's friends, by the senator's, or by the president's enemies, and the part allotted to Mr. Van Buren could not have been played here. What, sir, this pure patriot, this great public benefactor—this self-willed, obstinate man—this roaring lion, to be a wet rag in any man's hands, a name of war, to be punched into any and every shape by Mr. Van Buren's fingers! If the senator will calmly reflect, he will be compelled to acknowledge that he is or has been greatly mistaken. The president is not what he is declared him to be—what his friends or his enemies believe him to be—or else flagrant injustice has been done to Mr. Van Buren. I will not quarrel with the senator's choice. He may take either branch of the alternative. He cannot hold both.

The formidable array of facts in support of this charge of corrupt management against Mr. Van Buren, reminds me of an occurrence said to have happened in France.—There it was seen such a thing as an action to recover damages for seduction, which may be brought by an unfortunate lady who has listened too credulously to a flattering tongue. A pretty lady who had quarrelled and parted with her lover, called on an advocate to bring a suit for the damages he has sustained. She described the origin and progress of the *liaison*, the happiness enjoyed while it lasted, and the time of its duration, and then its fatal end. The advocate listened with profound attention to the story, and saw that it was one of those cases in which it was difficult to say who was in fault, the gentleman or the lady, and that an action could not be maintained for seduction. How to convey this, without offending the fair one, was the difficulty. All Frenchmen, of all professions, avoid that as the deadliest of sins. The advocate managed it with the proverbial skill of his profession and of his country. "Madam, it would give me infinite pleasure to obey your wishes, and punish the ingrate who has separated him from so much beauty; but I am obliged to tell you that seduction is not a seduction, and I cannot bring an action." This seemed very strange to the lady, as she had but a very minute in her detail of all the facts. Putting and putting she left the advocate to his books and briefs. The whole affair was forgotten by him; but in the course of a few days the lady burst triumphantly into his room, exclaiming with joyful eagerness, "another fact, sir, he seduced me again this morning." And so it is with the senator. His facts, like the lady's, do not go to the point he must reach to defeat his pursuer. Each case is like unto the other, and all like the *seduction of that morning*.

Remarks of Mr. Clay.

Mr. Clay, (in reply to Mr. Forsyth and other gentlemen), observed that a doctrine had been advanced much more important in its consequences, than the nomination under consideration. It had been maintained, that the instructions, so often adverted to, were the president's instructions; that he alone was responsible for them; and that the secretary of state stood in no manner amenable on account of them. This doctrine was directly at war with the genius of all our institutions, which suppose every public functionary to be responsible for every official act he performs. This responsibility runs through our entire system, and stretches to every officer of government, from the highest to the lowest. If the president sanctions instructions, emanating from the department of state, undoubtedly he also is responsible for them; but this cannot screen the secretary of state from his share of the responsibility. Is not a secretary of state impeachable under the constitution? Suppose he is guilty of treason, bribery, or other high crimes or misdemeanors? Is he not to be impeached by the house of representatives, tried, and convicted? And would it be any defence that the crime was committed by the command of a president? If he is directed to *perpetrate* an act forbidden by law, or repugnant to the national honor, he can withhold his signature, and surrender the seals of office. It is remarkable, that it appears there were no cabinet consultations when the instructions were given, and, consequently, Mr. Van Buren's responsibility was greater. I have no objection, if it could be proved, to the instructions which I gave, in conformity with the directions of the president, when I was in the department of state. Most certainly, I never gave an instruction, or prepared a diplomatic note, without a full consciousness of the responsibility under which I acted.

It has been argued that the real cause of the objection to this nomination is the mortification which is felt at the success of this administration in carrying the colonial trade, and its general success in the management of our foreign affairs, when contrasted with the previous administration. With respect to the value

of the colonial trade, under the arrangement which has been made, and its effects upon our navigation and commerce, I hope, that an opportunity for an ample discussion of them will occur, when it will not be difficult to show that what has been done is decidedly more disadvantageous to us than the previous state of that trade. But what is the arrangement? There is no treaty, no compact, nothing obligatory upon Great Britain. The operation of an act of the British parliament has been simply extended to our intercourse with the British colonies. What we have gotten proceeds from the breath of a British parliament, and the same breath can take it away, whenever they please. Let us look at the other vaunted instances of the diplomacy of this administration. The residue of our claims on Denmark, for which indemnity was not obtained under the late administration, have been satisfied. But that Mr. Wheaton was engaged in negotiation respecting them prior to the termination of that administration. A treaty is understood to have been made with Turkey. But the information which led to the negotiation was procured during the late administration, which had actually commenced a negotiation, and would in all probability have concluded it to a successful conclusion, if it had remained in power. A treaty has been signed and concluded with Austria by the present administration. But that Mr. Wheaton was engaged in negotiation respecting them prior to the termination of that administration. A treaty had even been appointed to proceed to the signature, when the caution of the Austrian minister prompted him to refer the treaty to his government for its approbation. The French treaty, providing for the satisfaction of the claims of our citizens on France, has been concluded during this administration; but the whole world knows that it has proceeded from a fortunate conjuncture. If it had not been for the revolution of July, we should probably not have obtained the treaty.

Now, under the last administration let us see what was done. It concluded at Washington treaties with Guatemala, Denmark and the Hanseatic cities, founded on the most liberal principles, and forming models for future treaties. It made treaties and with England and the emperor of Brazil, with Sweden and with Mexico, the latter of which remained to be ratified by the Mexican republic. It adjusted the difficult subject with England relating to satisfaction for slaves taken during the late war. During that administration indemnity was obtained for claims of American citizens, on Colombia, the Brazil, Denmark, Sweden and Russia. In respect to the indemnity from Russia, I request permission of the senate to relate an anecdote which reflects to much honor upon the emperor Alexander. Baron Maltitz being one day in the department of state, I casually observed to him that I thought

* There is a statement in the published speech of gen. Smith which, if he made it in the senate, did not attract my attention. He says he asked whether the terms proposed by the British act of parliament, of July, 1828, were satisfactory; and that I said I "considered they were all we could ask." Now, I am perfectly confident that the senator's recollection is inaccurate, and that I never did say to him that the terms proposed by the act were all we could ask. It is impossible I should have said so. For, by the terms of the act, to cede powers not colonial, (and of course the United States), to its privileges, those powers are required to place the commerce and navigation of Great Britain, (European as well as American), upon the footing of the most favored nation. That is, if we had accepted of the terms as tendered on the face of the act, we would have allowed British vessels all the privileges which we have granted by our treaties of reciprocity with Guatemala and other powers. The vessels of Great Britain, therefore, would have been at liberty to import into the United States, on an equal footing with our own, the productions of any part of the globe, without a corresponding privilege on the part of our vessels to visit Great Britain. It is true that the king in council was authorized to dispense with some of the conditions of the act, in behalf of powers not possessing colonies. But without the condition, embracing the principle of the most favored nation, would have been dispensed with or not, was unknown to me at the time the senator states the conversation to have happened.—And, long after, Mr. Vaughan, the British minister, was unable to afford any information as to the act of parliament. That very authority, vested in the king, demonstrates the necessity there was for further explanation, in the negotiation.

With respect to the note from me to the senator, which he says he received accompanying the draft of the bill introduced by him, it would be more satisfactory if he would publish the note itself, instead of what he represents to be an extract.

H. C.

† My belief was, and I so stated, that Mr. Hughes was instructed to aid Mr. Connell, the agent of the claimants against Sweden to procure indemnity. Mr. Hughes was instructed and charged with a negotiation for the claims of our citizens on Denmark, in which he was assisted by Mr. Connell, the agent of the claimants there also. Having had no recent access to the department of state, it was possible I was mistaken in my recollection of the instructions being specifically instructed to represent to the Swedish claims, and that I confounded the two negotiations. In point of fact, however, Mr. Hughes, either under his general instructions, the particular instruction given by Mr. Adams, or as incident to his diplomatic character, did aid, and, by his address, essentially aid Mr. Connell in the liquidation of the Swedish claims.

It appears that the present secretary of state, at the instance of an individual member of the senate, has undertaken to furnish a copy of instructions transmitted to a foreign minister, and to negative the existence of other instructions, so far as the records of the department would enable him to negative their existence. Hitherto, instructions have been only communicated to congress upon the calls of that body, or voluntarily by the executive. They have been sometimes even refused to one of the houses of congress.

H. C.

the Russian government had not treated us well respecting that claim; that it had been repeatedly, during a long course of years, brought before that government; that we could get no answer to our representations; and that we were at least entitled to a decision one way or the other. He communicated this conversation to his government; the emperor Alexander, as I was subsequently informed, sent for the papers, personally inspected them himself, and directed the payment of the claim. It was accordingly adjusted and settled by baron Toulz and myself by an exchange of diplomatic notes.

The gentleman from Georgia contends that the late administration submitted to indignities from the British government; and that it repeatedly knocked at the door of the British minister at London, to renew the negotiation, without gaining admittance.—The gentleman is mistaken. After the refusal of Mr. Canning to treat of the colonial intercourse, an elaborate dispatch was on the 11th November, 1826, transmitted to Mr. Gallatin, containing a vindication of the whole course of our government, in which, without retaliating on Mr. Canning's sarcasms, the honor, good faith, and character of our government are maintained, whether with ability or not it does not become me to pronounce. In that dispatch Mr. Gallatin is told: "What may be the nature of the proposals which you were authorized to make, upon the renewal of the negotiation so confidently anticipated, it is not now proper should be communicated to the British government. Respect for services, no less than for that government, forbids that we should intrude upon their consideration, proposals against which they have deemed it proper to shut their ears." Mr. Barbour succeeded Mr. Gallatin; but he was not, according to my recollection of his instructions, charged with any renewal of the negotiation. No man was ever more tenacious of the honor of his country than the late president, and he would have been the last to have authorized a degrading or derogatory solicitation to renew the negotiation. It is alleged that he forbore for a long time to issue his proclamation interdixing British vessels, coming from the colonial ports, an entry into our ports. The situation of that administration was peculiar. During a great part of it, the opposition had the majority in congress. At the session 1825-6 congress had taken up the subject of the colonial intercourse, although it failed to pass a law. In the dispatch to Mr. Gallatin, already cited, he was informed that the whole matter would be communicated to congress. It was communicated at the session 1826-7. Could the president with propriety have issued his proclamation during that session? Shortly after its close, congress having omitted to legislate in respect to the colonial trade, the president, without hesitation, issued his proclamation in conformity with the existing law.

The gentleman from Georgia further contended that the withdrawal or waiver of the demand, on the part of the late administration, of the admission of our produce into the British West Indies, on the same footing with similar produce from the British colonial continental ports, was equivalent to the abandonment of the *pretension* made by the present administration; and that it was a mere difference of diplomatic phraseology. But I cannot agree with the gentleman. The withdrawal or waiver of the demand, was a *concession*, the operation of which would have been temporary, limited to the duration of the treaty, in which it was expected the negotiation would terminate. Upon the expiration of the treaty, the right would have revived, and might have been insisted on in future negotiations. The demand it was expected the equivalents would have been obtained, and especially some provision for our trade on the St. Lawrence and the St. Pierre. But when the demand is abandoned, as an unsustainable *pretension*, when our government is denounced for having brought forward such a pretension, and too long and too tenaciously clung to it, how can we ever hereafter assert it? With what face can an American negotiator again put forward the demand? It could only be done by following the bad example of our administration disavowing to a foreign government the acts of its predecessor.

The more I reflect upon these instructions the stronger am I convinced of their reprehensible nature. If there be one point more than all others of which all governments, whatever may be their form, are justly most jealous, it is that of a foreign interference in domestic affairs. But of all governments, republics should guard with the most anxious care against such interference. All history, from the days of Greece and Philip, proclaims that this is the point of most danger. But these instructions invite the attention of the British government to the fact of our dissensions, present it as a topic for consideration, for persuasion, for deliberation. When that government is thus legitimately put in possession of the fact, do we not know that the transition from deliberation upon those divisions to action is short and perilous?

The gentleman from New York, (Mr. Marcy), supposes, in advancing to the practice of protection which I understand prevailed with the dominant party in his state, that I had reflected upon the character of that state; and he alleges, that the practice has existed for thirty years, with every dominant party, and was rigorously exercised many years ago, by my friends. Nothing was farther from my intention than to reflect in the smallest degree upon that powerful and respectable state. On the contrary, I honor and admire it for its protective institutions, its unimpaired public works, and its enterprise and intelligence. But I must pronounce my abhorrence of the practice to which I allude, no matter with whom it originated, whether friend or foe, or by whom it may be continued. It has been carried by the present administration to the most odious extent in Kentucky. Almost every official incumbent who voted against the present chief magistrate, and who was within the executive reach, has been hurried from office; whilst those who voted to have been retained, no matter how long they had been in the situation. It is not pursued in Kentucky by the state government, when in the hands of the opposition to this administration. Very lately, governor Metcalfe has appointed to one of the three highest judicial stations in the state, a supporter of this administration. The gentleman appoint-

ed is a nephew of the gentleman from Maryland, (general Smith); and although highly respectable and eminent in his profession, he is not more so than twenty other lawyers in the state belonging to the opposite party. The governor also renewed the appointment, or commissioned several gentlemen opposed to him in politics, as attorneys for the commonwealth. And recently, the legislature appointed a president of one of the banks from the ranks of the friends of this administration, and several other officers.

Remarks of Mr. Brown.

Mr. Brown said, that unwilling as he had been to participate in this discussion, he could not, in justice to his own feelings, and to the distinguished individuals, whose nomination as minister to England was then before the senate, refrain from giving utterance to the mingled sentiments of indignation and regret, at the course which the debate had taken—a course which struck him as at least extraordinary, and extremely unjust towards the nominee.

The acrimony with which Mr. Van Buren had been assailed, the epithets which had been so liberally bestowed on him, required some vindication at the hands of those who were favorable to confirming his nomination, against the injurious, and as he believed, unwarrantable charges which had been preferred against him. He would here take leave to remind gentlemen, that reproachful epithets afforded but a poor substitute for argument, and more especially when addressed to a body whose deliberations should be governed by calm and dispassionate consideration.

The senate had been told by the honorable gentleman Mr. (Clay), who had preceded him in this debate, that Mr. Van Buren, when acting as secretary of state, had disgraced his country, by certain expressions contained in his instructions given to Mr. McLane, late minister to England, in relation to the negotiation between the United States and Great Britain, on the subject of the West India trade. Waiving all discussions as to whom the responsibility should attach, for instructions given to our foreign ministers, whether to the president of the United States or to his secretary of state, he would concede to those opposed to the nomination the principle contended for by them, that the secretary of state was responsible for his official conduct, to the fullest extent. He knew Mr. Van Buren too well, to believe, for a moment, that he would desire that any shield should be interposed to screen him from a proper responsibility; he believed he would sooner court the strictest inquiry, than endeavor to escape from it. But to return to the instructions: What was the language which was deemed so exceptional? In order to remove the impression, that a feeling of hostility was felt in this country towards Great Britain, which the improvident course of the late administration, in relation to the West India trade had produced, the late secretary of state had alluded in his instructions to the change which the people of the United States had made, in those who administered our government, in the following language:—"The opportunities which you have derived, from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful so to do) of the respective parts taken by those to whom the administration of this government is now committed, in relation to the colonial trade, hitherto pursued upon the subject of the colonial trade. Their views upon that point have been submitted to the people of the United States, and the counsels by which your conduct is now directed, are the result of the judgment expressed by the only earthly tribunal in which the late administration was amenable for its acts." In making this suggestion, Mr. Van Buren had asserted what was most true; public opinion had discarded the late administration from power, and the party to whom the people of the United States had committed the reins of government, had been, and were then, favorable to the proposed arrangement, he could therefore recognize in this no solid objection; but to his mind, it had more the appearance of the capriciousness of verbal criticism, than any thing else. If there was any thing in the language which he had noticed of a submissive tone, as gentlemen had supposed, by proceeding a little farther in the instructions, they would have found language which would effectually have removed all their apprehensions, and shows if the late secretary of state knew how to use the language of conciliation, he also

knew how to speak in a tone of manly firmness when urging the just claims of his country.

That part of the instructions to which he had reference was as follows: "If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds. To set up the acts of the late administration as the cause of forfeiture of privileges which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course as unwise and untenable as is calculated to produce, would doubtless be greatly aggravated," &c.—Here was language firm and spirited, and indicating any thing else but a disposition to yield or compromise the honor of the country, and he could but consider it as extremely unjust on the part of the opponents of the nomination to single out detached parts of the instructions, without adverting to their general tenor, and viewing them as a whole; the only fair rule to be resorted to, in the exposition of public documents.

But to come back to the charge of disgrace which had been so strongly urged and relied upon. How, say, has the minister to England disgraced his country? Where was the evidence of the imputed disgrace to be found? Was it to be found in the fact, that an arrangement had been made between the United States and Great Britain, in relation to her colonial trade, substantially on the very same basis as that proposed under the administration of Mr. Adams, and were gentlemen who then approved that measure, now prepared to condemn the present administration for having succeeded in forming such an arrangement with the British government, as the late administration had proffered, and had failed to accomplish? Sir, and Mr. Brown, it appears to me that there lies the rub; the objection to Mr. Van Buren, he feared, with some gentlemen, was not that he had *done too little*, but that he had *done too much*. Under his auspices, as secretary of state, a restoration of the West India trade had been effected, which the late administration had, by several successive missions, vainly endeavored to effect for several years.

He called on gentlemen who had spoken so pathetically of their country's disgrace to adduce some proof in support of the charge. When had the American name stood more honored abroad? Under what administration, from the origin of the government to this time, had the national character held a more lofty elevation? There was no civilized country, but what American character, American institutions, were the themes of the highest panegyrics, and in none more than in that country, with whom this dishonorable transaction is said to have taken place. The lively sensibility which the president had on all occasions shown to the honor of his country, forbade the supposition that he would ever have sanctioned instructions to a foreign minister, by which the character of his country was to be compromised. That he had authorized the language of conciliation to be used, in the instructions to the minister to England, was most honorable to him. From what president could a spirit of conciliation and courtesy towards England, come with more propriety than from him, by whose valor in the field her pride had been humbled?

There is no mark more inadmissible, as regards the degree of wisdom with which a nation is governed, than the respectability of that nation in other countries. All history will testify to the truth of the remark, that an administration conducted feebly, is contemptible abroad, and that which is conducted with wisdom and vigor, never fails to secure respect.

Mr. Brown said, he would not institute a comparison between the management of our diplomatic affairs, under the present administration, and that which had preceded it, and it would be from no apprehension that the result would not redound greatly to the credit of the existing administration.

Mr. Van Buren had, he believed, while acting as secretary of state, accomplished more in less time than any of his predecessors. Comparatively inexperienced to the new station to which he had been called to act,

the ease with which he had adapted himself to it, the rapidity with which he had comprehended the arduous and difficult duties of secretary of state, bore honorable testimony to his abilities as a statesman.

It had been objected to the nominee, that he had introduced into the government of the United States, the party intrigues and discipline said to prevail in his own state. Without stopping to notice what he considered an unjust reflection, on the public character of a great and patriotic member of this confederacy, he called upon those who made the charge to support it by proof. It was honorable to the reputation of Mr. Van Buren, both public and private, that when his enemies were asked to furnish evidence in support of the charges urged against him, that they were unable to fix upon him any one of them by the semblance of proof. Possessing talents of a high order, and rapidly growing in the esteem of his countrymen, it was not a matter of surprise that he had been marked out as the victim of unmerited persecution.

Mr. Brown could conceive of no adequate reason or motives for rejecting the nomination of the minister to England. He was peculiarly fitted for the station which he then filled. His thorough and intimate acquaintance with the commercial relations of the two countries pointed him out as a fit and proper representative of our interests at the court of Great Britain. The state of New York had repeatedly vouched for his character and standing, by bestowing on him the highest civil honors within her gift. Mr. Brown said, he therefore considered it a duty which he owed to the country, and to the individual then representing us at the court of Great Britain, to vote for confirming his nomination.

Remarks of Mr. Webster—on the second day.
Mr. Webster said, in reply to some remarks of Mr. Forsyth, that it was, in his judgment, a great mistake, to say, that what was now called the American "pretension," originated with Mr. Adams, either as president, or secretary of state. By the way, it is singular enough that the American side of this question, is called, in the instructions before us, a *pretension*, too long persisted in; but the British side of it is called a *right*, too long, and too tenaciously, resisted by us. This courteous mode of speaking of the claims of a foreign government, and this reproachful mode of speaking of the claims of our own, is certainly somewhat novel in diplomacy. But, whether it be called, respectfully, a *claim*, or reproachfully, a *pretension*, it did not originate with Mr. Adams. It had a much earlier origin. This "pretension," now abandoned, with so much scorn, or this claim, said, reproachfully, to have been first set up by the late administration, originated with George Washington. He put his own hand to it. He insisted on it; and he would not treat with England, on the subject of the colonial trade, without considering it.

In his instructions to Mr. Morris, under his own hand, in October, 1783, president Washington says—"Let it be strongly impressed on your mind, that the privilege of carrying our productions, in our vessels, to their islands, and bringing in return the productions of those islands to our own ports and markets, is regarded here as of the highest importance; and you will be careful not to countenance any idea of our dispensing with it in a treaty. Accertain, if possible, their views on the subject for it would not be expedient to commence negotiations without previously having good reasons to expect a satisfactory termination of them."

Observe, sir, that president Washington, in these instructions, is not speaking of the empty and futile right of sending our own vessels, without cargoes, to the British West Indies; but he is speaking of the substantial right of carrying our own products to the islands, for sale and consumption there. And whether these products were shut out by positive act of parliament, or by a tariff of duties, absolutely and necessarily prohibitory, could make no difference. The object was to provide, by treaty, if it could be done, that our products should find their way, effectually and profitably, into the markets of the British West India. This was general Washington's object. This was the "pretension" which he set up.

It is well known, sir, that no satisfactory arrangement was made, in general Washington's time, respecting our

trade with the British West Indies. But the breaking out of the French revolution, and the wars which it occasioned, were causes which, of themselves, opened the ports of the West Indies. During the long continuance of those wars, our vessels, with cargoes of our own products, found their way into the British West India Islands under a practical relaxation of the British colonial system. While this condition of things lasted, we did very well without a particular treaty. But when the European wars, and our war all ceased, then Great Britain returned to her former system; then the Islands became shut against us; and then it became necessary to treat on the subject. And, sir, we proposed to treat; our ministers were, successively, instructed to treat, from that time forward. And, sir, I undertake to say, that neither Mr. Madison, who was then president, nor his successor, Mr. Monroe, gave any authority or permission to any American minister, to abandon this pretension, and give it up, or even to waive it, or postpone it, and make a treaty without providing for it. No such thing. On the contrary, it will appear, I think, if we look through papers which have been sent to the senate, that under Mr. Madison's administration, our minister in England was fully instructed on this subject, and expected to press it. And as to Mr. Monroe, I have means of being informed, in a manner not liable to mistake, that he was, on this subject, always immovable. He would not negotiate without treating on this branch of the trade: nor did I ever understand, that, in regard to his matter, there was any difference of opinion whatever, among the gentlemen who composed Mr. Monroe's cabinet. Mr. Adams, as secretary of state, wrote the despatches and the instructions; but the policy was the policy of the whole administration, as far as I ever understood. Certain it is, it was the settled and determined policy of Mr. Monroe himself. Indeed, sir, so far as it is from being true that this pretension originated with Mr. Adams, that it was in his administration that, for the first time, permission was given, under very peculiar circumstances, and with restrictions, to negotiate a treaty, waiving this part of the question. This has been already alluded to, and fully explained, by the honorable member from Kentucky.

So then, sir, this pretension, asserted in the instructions to have been first set up in the late administration, is shown to have had president Washington for its author, and to have received the countenance of every president, who had occasion to act on the subject, from 1789, down to the time of the present administration.

But this is not all. Congress itself has sanctioned this name "*pretension*." The act of the 1st of March, 1823, makes it an express condition, upon which, and upon which alone, our ports shall be opened to British vessels and cargoes from the West Indies, on the same duties as our vessels and cargoes; *that our products should be admitted into those islands, without paying any other or higher duties than shall be paid on similar productions coming from elsewhere.* All this will be seen by reference to the third section of that act. Now, remember, sir, that this act of congress passed in March, 1823, two years before the commencement of Mr. Adams's administration. The act originated in the senate. The honorable senator from Maryland who was spoken on this subject to day, (Mr. Smith) who was then a member of the senate, and took part in the discussion of this very bill; and he supported it and voted for it. It passed both houses, without material opposition in either. Now, sir, how is it possible, after referring to this law of 1823, to find any apology for the assertion contained in these instructions, that this claim is a pretension first set up by Mr. Adams's administration? How is it possible that this law could have been overlooked, or not remembered? In short, sir, with

any tolerable acquaintance with the history of the negotiations of the United States, or their legislation, how are we to account for it, that such an assertion as these instructions contain, should have found its way into them?

But the honorable member from Georgia asks, why we lay all this to the charge of the secretary, and not to the charge of the president? The answer is, the president's conduct is not before us. We are not, and cannot become his accusers, even if we thought there were any thing in his conduct which gave cause for accusation. But the secretary is before us. Not brought before us by any act of ours, he is placed before us by the president's nomination. On that nomination we cannot decline to act. We must either confirm, or reject it. As to the notion that the secretary of state was but the instrument of the president, and so not responsible for these instructions, I reject, at once, all such defence, excuse, or apology; or whatever else it may be called. If there be any thing in a public despatch derogatory to the honor of the country, as I think there is in this, it is enough for me, that I see whose hand is to it. If it be said, that the signer was only an instrument in the hands of others, I reply, that I cannot concur in conferring a high public diplomatic trust on any one who has consented, under any circumstances, to be an instrument, in such a case.

The honorable member from Georgia asks, also, why we have slept on this subject, and why, at this late day, we bring forward complaints. Sir, nobody has slept upon it. Since these instructions have been made public, there has been no previous opportunity to discuss them. The honorable member will recollect, that the whole arrangement with England was done and completed, before ever these instructions saw the light. The president opened the trade by his proclamation, in October, 1830; but these instructions were not publicly sent to congress till afterwards, that is, till January, 1831. And they were not then sent, with any view that either house should act upon the subject, for the whole business was already settled. For one, I never saw the instructions, nor heard them read, till January, 1831; nor did I ever hear them spoken of, as containing these obnoxious passages. This, then, is the first opportunity for considering these instructions.

That they have been subjects of complaint out doors since they were made public, and of much severe animadversion, is certainly true. But, until now, there never has been an opportunity naturally calling for their discussion here. The honorable gentleman may be assured, that if such occasion had presented itself, it would have been embraced.

I entirely forbear, Mr. President, from going into the merits of the late arrangement with England, as a measure of commercial policy. Another time will come, I trust, more suitable for that discussion. For the present, I confine myself strictly to such parts of the instructions as I think plainly objectionable, and reprehensible; whatever may be the character of the agreement between us and England, as matter of policy. And I repeat, sir, that I place the justification of my vote on the party tone, and party character of these instructions. Let me ask, if such considerations as these are to be addressed to a foreign government, what is that foreign government to expect in return? The ministers of foreign courts will not bestow gratuitous favors, nor even gratuitous smiles, on American parties. What, then, I repeat, is to be the return? What is party to do here, for that foreign government, which is done, is expected to do, or is asked to do, something for party here? What is to be the consideration paid for this foreign favor? Sir, must not every man see, that any mixture of such causes, or motives, in our foreign intercourse, is as full of danger, as it is of dishonor?

I will not pursue the subject. I am anxious only to make my own ground fully and clearly understood; and willingly leave every other gentleman to his own opinions. And I cheerfully submit my own vote to the opinion of the country. I willingly leave it to the people of the United States to say, whether I am acting a factious and unworthy part, or the part of a true-hearted American, in withholding my approbation from the nomination of a gentleman as minister to England, who

* The circumstance did not occur to Mr. Webster's recollection at the moment he was speaking, but the truth is, that Mr. Van Buren was himself a member of the senate, at the very time of the passing of this law; and Mr. McLane was at the same time a member of the house of representatives. So that Mr. Van Buren did himself, certainly, concur in "*setting up this pretension*," two years before Mr. Adams became president.

has, already, as it appears to me, instructed his predecessor at the same court, to carry party considerations, to urge party merits, and solicit party favors, at the foot of the British throne.

Remarks of Mr. Ewing.

Mr. Ewing, of Ohio, said he rose for the purpose of replying to the honorable senator from North Carolina, (Mr. Brown), and with a view also to add something to what had been said by the honorable senator from Massachusetts, (Mr. Webster), who had placed the question before the senate, in nearly all the aspects in which it had presented itself to his (Mr. E.'s) mind.

The hon. senator from North Carolina has said, that the treaty negotiated by our minister at London, under the instructions which are now the subject of animadversion, is a splendid treaty—that it has yielded, and will yield a golden harvest to our people; and that it is the success of the negotiation, casting all others in the shade, which has excited envy and animosity against the parties concerned in that brilliant transaction. Sir, said Mr. E. it is the common resort of all men, when brought to answer for a misdemeanor, to retort the charge of envy, or enmity against their accusers. Pretences of this kind can always be advanced—though not always sustained; and when supported by evidence, and not resting on mere assertion, they are entitled to no weight, except in those cases in which the accusation to be repelled, rests for its support upon the evidence of the envious and malignant accuser. What has it to do with the question before the senate, whether the nominee is the subject of love or hatred of malice or good will? Here is no room for falsehood, and little for misconception. We have before us, under his own sign manual, the very paper on which we must acquit or condemn him. We have it before us here, sir; it will go abroad to the nation and the world, with the sanction or censure of the senate stamped upon it. Friendship cannot brighten, nor envy deepen its shades. Before us, and before the American people, upon its own merits must it stand or fall. Nor does the hon. senator touch the question under discussion, when he tells us that an arrangement effected pursuant to these instructions, is advantageous to the United States; that it adds to our commerce, and puts money in the pockets of our people. I neither admit nor deny his assumptions as to that fact, for it is not now a proper time for the discussion of that subject. On another day, on a fit occasion, and with open doors, shall (I trust) this matter be investigated, and then, perhaps, their golden visions will vanish into air. But it is not the arrangement to which I now object, but the manner in which it was sued for. Let it be, if gentlemen please, a splendid boon, a golden gift obtained from Great Britain, by the superior talents and favor of this subtle secretary; that gold is bought too dear, which is purchased at the expense of our national honor; which is sued for, begged for of a British minister; knelt for, prayed for, before a British, or any earthly throne.

But, sir, said Mr. E. this tone of submission, of supplication and apology, is not to my mind the most objectionable characteristic of this paper. We have, it is true, since the first formation of our government, been divided into parties at home. Our people have differed in the choice of their rulers. Sometimes on principle, sometimes merely as to men; but heretofore, whether in peace or war, abroad we have presented an undivided front, and never before has there been a solitary instance in our country, when our dissensions have been sent abroad by the accredited agents of our government, and urged as argument for the consideration of a foreign power. But, by this despatch, sir, our family quarrels, our private animosities, which, in common decency, ought to die within our own doors, are presented in bold relief, and made the subject of earnest representation to the British crown. For what honest purpose is this thing done? Does any man suppose that the British minister or the British monarch cares who is at the head of our government, unless they expect to profit by the ascendancy of some individual or party? If it were "the country, the whole country, and nothing but the country," which the secretary sought to benefit by this official act, why did he urge to England, (for it mattered not to them), the opinions of the dominant party in this country? Sir, the American republic—the nation, is lost sight of in

this despatch, and the minister is instructed to present himself at the British court as the emissary of those who had come into power as he assumes, because they supported British claims against American pretensions. I once more ask the attention of the senate to a paragraph of this despatch.

"The opportunities which you have derived from a participation in our public councils, as well as other sources of information, will enable you to speak with confidence (as far as you may deem it proper and useful so to do) of the respective parts taken by those to whom the administration of this government is now committed, in relation to the course heretofore pursued upon the subject of the colonial trade. Their views upon that point have been submitted to the people of the United States; and the councils by which your conduct is now directed, are the result of the judgment expressed by the only earthly tribunal to which the late administration was amenable for its acts. It should be sufficient that the claims set up by them, and which caused the interruption of the trade in question, have been explicitly abandoned by those who first asserted them, and are not revived by their successors. If Great Britain deems it adverse to her interests to allow us to participate in the trade with her colonies, and finds nothing in the extension of it to others to induce her to apply the same rule to us, she will, we hope, be sensible of the propriety of placing her refusal on those grounds. To set up the acts of the late administration as the cause of forfeiture of privileges which would otherwise be extended to the people of the United States, would, under existing circumstances, be unjust in itself, and could not fail to excite their deepest sensibility. The tone of feeling which a course so unwise and untenable is calculated to produce, would doubtless be greatly aggravated by the consciousness that Great Britain has, by order in council, opened her colonial ports to Russia and France, notwithstanding a similar omission on their part to accept the terms offered by the act of July, 1825. You cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has bearings and relations that reach beyond the immediate question under discussion."

"I will add nothing as to the impropriety of suffering any feelings that find their origin in the past pretensions of this government to have an adverse influence upon the present conduct of Great Britain."

Can any one read this miserable paragraph, mystified and involved as it is, and doubt for a moment as to its interpretation? You will be able to speak with confidence (as far as you may think it proper and useful so to do) of the course pursued by those now in power, in relation to the colonial trade. What is this but saying, in other words, to the American envoy—tell the British minister that we, who are now in power, supported British claims, and opposed American pretensions; as to the colonial trade; our opinions upon that subject were submitted to the American people, and, because we entertained views favorable to British claims and hostile to American pretensions, the people placed us in power, and prostrated our opponents? This is the plain meaning of that part of the despatch, when stripped of its circumlocution. Is this true, sir? And, if it were true, is it, I ask, the kind of message with which an American minister is to be sent to a foreign court—thus to humble and debase himself, and degrade, if not libel his countrymen—especially to the haughty court of Great Britain?

But this is not all. Warmed with his subject, and new light breaking in upon him as he proceeds, the secretary closes this paragraph in his despatch with this special injunction: "You cannot press this view of the subject too earnestly upon the consideration of the British ministry. It has bearings and relations that reach beyond the immediate question under discussion."

"You cannot press this view of the subject too earnestly." What view? Why, that those who favored American pretensions, have been put down—and we, who support British claims, are lords of the ascendant. But why press this earnestly upon the consideration of the British ministry? Because, adds the despatch, it has bearings and relations which reach beyond the immediate

question under discussion. And what were these *bearings and relations*? On what did this view of the subject bear—to what did it relate, beyond the simple question of the question of the colonial trade, it indeed it could have borne on that? Sir, the motive lurking in the heart of the writer of this despatch, is here disclosed. He stunts the self-declared representative of a party—holding out, as a *partizan*, professions of submission and subservience to Great Britain—and claiming, as the reward of his adherence to her interests, the concession of *privileges* which had been withheld when treated for in the name and behalf of the nation. The concessions on the one part, and the boons and privileges on the other, were not intended to terminate in the matter then under discussion. No, they had *bearings and relations* which reached beyond, very much beyond them. Why? to convince the British ministry that the secretary is devoted to their will! would they not lend their aid to elevate him in his turn to the highest station in our republic? Have they not the same motive in giving a president to the United States that Russia once had in giving a king to Poland! In his view, it was easily done. Let the ministry yield to his solicitations as a *partizan*, what they had refused to the manly diplomacy of the nation; and let the American people feel, or be persuaded that they felt, pecuniary benefits resulting from these concessions. Then let the *British presses* be made to teem with praises of the candor, skill, and talent of the American diplomatists. The weight of foreign influence, with political tactics and party organization at home, he might reasonably suppose to be irresistible. And then, sir, having reached the summit of his ambition, could he not reward his august friend and ally, by yielding up *other American pretensions to other British claims*? Sir, the British nation has for a century past held a controlling influence over the politics of Europe. It has been the "setter up and putter down of kings." States and nations have received their gold, and become their pensioners; and it is not probable, if the lure is thus held out to them by our men in power, that they will be slow in seizing an occasion to control also our destinies.

It is for these reasons, in addition to those already urged, that I have made up my mind to vote against this nomination. I have reflected on the subject, deliberately, calmly, and I hope impartially. The office is high and responsible. The stations which the nominee has heretofore filled, have been elevated and conspicuous. I have felt, sir, and still feel, the responsibility under which I act in refusing my assent to this nomination; but I refuse it without hesitation or doubt. Sir, if a man without fortune and without name, an officer holding some humble post, had shined as deeply in his sphere as did this nominee in his, he would have been suckered, by common consent to sink into oblivion, perhaps into infamy. And surely our censure should not fall with less weight on the political sins of the high, than of the humble in station.

In coming to this conclusion, I, for one, have given little weight to the many reasons which are rife in the land touching the political character and conduct of this nominee in other matters than that here developed. Something, indeed, it has weighed upon my mind, that he is now, by an arrangement which appears to be *his own*, our accredited minister at that very court to which he thus pressed his *partizan* claims; and where, if he chose to do it, he could best mature a project for bringing foreign influence to bear upon his political fortunes at home. But chiefly I rest my censure upon the despatch which is before us, and in which I cannot be deceived.

Remarks of Mr. Hayne.

Mr. President: Before the question is taken on this nomination, I desire merely to state the grounds on which my vote shall rest. I do this as an act of justice to myself, without desiring or intending to influence the vote of any gentleman here. When the resolution offered by the senator from Maine (Mr. Holmes), was before the senate a few days ago, proposing, among other things, an inquiry into the conduct of Mr. Van Buren, I took occasion to say, that though I could not vote for that resolution, because, in the form in which it then stood, it proposed to make a call upon the president, which I did not consider

as quite respectful in its character; and also, because, even in relation to Mr. Van Buren himself, it was altogether too vague and indefinite to lead to any practical result; yet that, if any senator would move for an inquiry, in proper form, I would not only vote for it, but cheerfully abide by the result. The friends of Mr. Van Buren, while opposing the resolution of Mr. Holmes, had not themselves thought proper to institute any such inquiry. I do not mean to censure them for this, nor to draw any inference from their course in this respect, unfavorable to Mr. Van Buren. They believed the charges against him requires no investigation, and for my own part I was willing to acquiesce in the suggestion which had been thrown out, that from the nature of the case it was peculiarly proper that each gentleman should make the necessary inquiries for himself, and having satisfied his own conscience, act accordingly. I have Mr. President, pursued this course, and by the result shall my conduct, on this occasion, be governed. From the time when Mr. Van Buren took possession of the department of state up to the moment of his departure for England, I have been an attentive observer of the passing events here. I have also, since this nomination came before the senate, taken pains to inform myself, from the very best sources, as to the correctness or incorrectness of my first impressions with respect to the conduct of Mr. Van Buren while secretary of state, and the result has been, a *firm conviction* that I ought not to give my advice and consent to his appointment as minister to England. From facts and circumstances which have fallen under my own observation, many of them notorious to the whole country, as well as from information derived from sources on which I implicitly rely, I have arrived at the following conclusion: that when Mr. Van Buren came into the cabinet, he found a state of circumstances here that opened a door to the establishment of an *influence* favorable to his personal views; that, instead of exerting himself to remove the causes of discord and dissension by which the executive was unhappily surrounded, he dexterously *availed himself of them*, and wielded them for the promotion of his own personal and political interests, and for the advancement of his friends and supporters to office, to the exclusion of almost all others. It is known to all who hear me, that gen. Jackson came into office under most auspicious circumstances, which, properly improved, could not have failed to secure for his administration the highest honor, and as I still believe lasting benefit to his country.

It is notorious that the fruits of the great political victory which brought him into power, have been, in a great measure, lost. The expectations of the country have not been fulfilled. Dissensions and discord have divided a party who were once cemented together by the strongest ties. Men who espoused gen. Jackson's cause at the earliest dawn of his political fortunes, who stood by him in the heat of the contest, have been discarded from his confidence, and forgotten, while those who came in (like Mr. Van Buren himself) at the *eleventh hour*, who never lifted a finger in his defence, or raised a voice in his favor, now have undisputed sway. Sir, I have no doubt whatever, that, for all this, the country is chiefly indebted to the influence of Mr. Van Buren, successfully, though cautiously, directed to the single object of advancing himself, at the expense of all who were supposed to stand in his way; and what is worse, at the expense of the success of the administration, and at imminent hazard to the best interests of the country.

I firmly believe, sir, that it was not until Mr. Van Buren discovered, in the course of the last winter, that, by creating a unity of interests between the president and himself, and *alienating him from his faithful and true friends*—instead of elevating himself, he was pulling his benefactor down—that he determined to break up the cabinet, by withdrawing himself, and driving his colleagues from their stations; taking care, however, to provide a *safe retreat* for himself in this mission to England. I think the dissolution of the cabinet, under all the circumstances which attended it, was most unfortunate for the executive, and disreputable to the country; and such, I am persuaded, is the opinion of the great body of the people, of all parties, throughout the U. States. From all that I have seen and heard upon that subject, I have not the shadow of a doubt that this event would not have

taken place, but for the firm and manly resistance made by certain members of the cabinet to the views of Mr. Van Buren. If they had existed under his banner, and consented to follow *his lead*, all would have been well. I believe, moreover, that Mr. Van Buren, while secretary of state, used the influence derived from his high office, for the purpose of controlling, injudiciously, the domestic and social relations of this community; and that his conduct was, in other respects, inconsistent with the dignity of his station and the character of the country. Having arrived at these conclusions, after a careful and deliberate examination of the whole case, my duty is, of course, made plain. We are called upon to give our *advice and consent* to the appointment of Mr. Van Buren to a high and most responsible office. I know that a decision in his favor will be regarded here, and held up elsewhere, as a triumphant acquittal from all the charges that have been preferred against him. I cannot consent to be an instrument in producing such a result, believing, as I do, that these charges are true.

Allusion has been made to the strong *prejudices* which are said to have followed Mr. Van Buren through his whole political career, and of which it is said he is now to be made the victim. For my own part, I am unconscious of being under the influence of any such feelings. Though I have never had the honor to be closed among the personal and political friends of this gentleman; yet, so far from having ever indulged any prejudice against him, my feelings towards him have been of an opposite character. Up to the time of his going into the cabinet, but a single circumstance had occurred to shake my confidence in him as a public man; and notwithstanding this, he went into the department of state with my "salvage and consent;" and I should have continued in the same relation towards him to this day, but for a course of conduct while in that office, which I honestly believe has brought incalculable evils upon this country. In coming to these conclusions, I have not been governed, as has been supposed, by "vague rumors merely." My opinions have been made upon facts and circumstances which are notorious, some of which have fallen under my own observation, and upon information derived from the most unquestionable sources. It is possible I may be deceived, but if so, I can only say, that so strong are the convictions under which I am acting, that if I were a juror in the box, sworn to give a true verdict in the issue now made up between Martin Van Buren and his country, I should feel myself constrained to give that verdict against him. On this conviction I shall act. Be the consequences what they may, I shall do what I believe to be my duty, in recording my vote against Mr. Van Buren as minister to England.

Mr. Brown, on the conclusion of Mr. Hayne's remarks, adjured parties not to pursue this discussion; it could lead to no good. Every one's mind no doubt was made up. Let us vote, and avoid any further irritation, already too great on his subject.

Mr. Forayth said, I am aware of the propriety of the suggestion of the gentleman from North Carolina, and do not rise to continue the discussion. The gentleman who has just taken his seat (Mr. Hayne) has expressed his opinion—he will of course act upon it—that is his affair—he has founded it on sources within his reach; these sources are not disclosed—we cannot speak of them. No evidence other than that already before the public, has been referred to by him. We cannot examine what we do not see. All this is for the judgment of others. The honorable senator has said, that the course he has taken in coming to his conclusion, was suggested by the friends of Mr. Van Buren. This I must deny. The suggestion of that course was made by the senator from Massachusetts, (Mr. Webster) who is not to be numbered among the friends of the person nominated, either politically or personally. Although believing investigation unnecessary, we have stood ready, at all times, to vote for it in any form, but disgraceful to the senate. The whole question will soon be before the public, and we are ready to abide by the result.

Mr. Murcy's remarks in reply to Mr. Clay.

Mr. President, I will trouble the senate with a few words in answer to what has just fallen from the honorable senator from Kentucky. He did not intend, he assures us, to apply his animadversions to the whole state

of New York, but only to the dominant party there—the political friends of the minister to London [Mr. Van Buren.] But, sir, the state of facts relative to the conduct of parties in that state, will not allow of such a restricted application. If there has been any thing estimable in that respect, the honorable senator's own political friends must come in for a full share; if any distinction is to be made, it cannot be in favor of those whose good opinion he enjoys. A recurrence to facts will show, that proscription—if it is to be called—enters more deeply into their practice when they get power, than it does into the practice of those who are selected as the particular objects of attack. I could refer to recent instances to verify the assertion. Give them success only in a single city, and the work of removal from office at once begins. They have very few "spared monuments;" almost all are swept off—from the highest to the lowest—down even to the lamp-lighter. The truth is, sir, the political friends of the senator from Kentucky are not converts to the liberal doctrines he has avowed on this occasion. If they have ever heard of them, they heed them not.

After all, Mr. President, it is quite evident from what we have heard, in relation to the conduct of parties in Maryland and elsewhere, that New York does not differ from other states. Political men in all of them have the same passions, and are actuated by like motives, and only differ in conduct by reason of some difference in their circumstances. Where there is alternation of success and defeat, there will be removals—called restoration or retaliation, by those who use power; and proscription by those who feel it.

If the honorable senator understood me to speak of only one office-holder; a single spared monument, as he called it, friendly to the late administration, being retained, he had misapprehended me. The number of changes made in that state is small; and I can assure him, that notwithstanding the ferocious and proscribing policies ascribed to us, he has many friends now enjoying offices under both the general and state governments: more than that, sir, Mr. Van Buren has been censured by some of his own political friends, for having counteracted, as they suppose, the efforts which have been made, in some instances, to effect changes.

So far as my observation has extended, I can discover no sort of resemblance between the condition of actual office holders opposed to the administration, and that which has been described? They were portrayed as a class of men in the most abject state of fear and trembling, not daring to speak but in whispers on public affairs, and even under restraints in their social intercourse. They may present themselves, or be presented in this light to the honorable senators; but I am sure they are not so presented to others, for that is not their true condition. Their political predilections and sentiments are not restrained by fear or expressed in whispers—their opposition is open and active, and sometimes noisy, and yet they remain in undisturbed possession of their offices.

I must again allude to the grounds of the removal of some subordinate officers by the present administration, in order that it may be understood upon what principle the act is vindicated, and to repel the charge of wanton proscription. The necessities of the late administration were such that it compel of these officers to become partisans in the struggle. Many of them mingled in the hottest of the fight; they were paragraph writers for the newspapers, and the distributors of political handbills, and thereby exposed themselves to the vicissitudes to which those are always exposed, for whom the political contests in free governments are waged. If among this class of officers there was more mortality attendant upon the late conflict, it was because there was more disease.

The senator from Kentucky has denounced removals from office as a violation of the freedom of opinion, and the liberty of speech and action. He advocates the liberty of speech and action. He advocates a course of conduct towards political opponents, characterized by great moderation and forbearance, and what is more, he professes to have conformed his actions to his precepts. We all of us, I believe, admire these liberal sentiments, and feel disposed, in our abstract specula-

NILES' WEEKLY REGISTER.

FOURTH SERIES.] No. 26—VOL. V. BALTIMORE, FEB. 25, 1832. [VOL. XLI. WHOLE NO. 1,068

THE PAST—THE PRESENT—FOR THE FUTURE.

EDITED, PRINTED AND PUBLISHED BY H. NILES, AT \$5 PER ANNUM, PAYABLE IN ADVANCE.

tions, to adopt them as the rule of our conduct. The theory is, indeed, beautiful; but, sir, do we put them in practice when brought to the experiment? I would ask the honorable senator, if he has himself practised them? I will not say he has not, because he assures us he has; but I will say that some part of his public conduct has exposed him to a strong suspicion of having departed from the path which he now points out as the true one, and of having wandered into that which he now thinks it is so censurable for others to have pursued.

It will be recollected, sir, that there is considerable patronage attached to the department of state. To it appertain the selection of the newspapers in which the laws of the United States are published. I well remember that while that honorable senator was at the head of that department, and when the fortunes of the late administration began to wane, the patronage of publishing the laws was withdrawn from certain public journals, which had long enjoyed it. What was the cause of this change—this removal from office, I believe I may call it. It was not a violent and vindictive opposition to the existing administration. Some of these journals had scarcely spoken in whispers against it. No, sir, it was for lukewarmness—for neutrality—a want of zeal in the cause of the administration was alleged to be the offence; proscription was the punishment. Where was then that sacred regard for the freedom of opinion and the liberty of speech and action which we now hear so highly extolled? Was not this an attempt to control public opinion through the medium of the press, and to bring that press into a subserviency to the views of the men in power?

Sir, I wish not to be misunderstood. I have not alluded to these things for the purpose of accusation. I do not even complain of the manner in which the honorable senator used the patronage entrusted to him; but I do complain that he has seen fit to bring before this body the conduct of a political party in New York as a theme of reproach and annihilation, when its conduct is not distinguishable (except for some moderation and tolerance) from that of his own personal and political friends in that state—when its conduct does not differ from that pursued by political men in other states; and when it has a justification, if it needed one, in the honorable senator's own example.

Remarks of Mr. Miller in reply to Mr. Forsyth.

Mr. Miller kept no note of his rejoinder to Mr. Forsyth. He replied at the moment to such suggestions as seemed to require notice at his hands. The publication of Mr. Forsyth's speech in reply, renders it proper that the rejoinder by Mr. Miller should be published in correct and explain portions of Mr. Forsyth's reply.

Mr. President, I will trouble the senate with only a few observations in reply. The gentleman from Georgia has said that I seemed earnestly hunting for causes for a divorce from the president. This is not so. I mean in this case to vindicate the character of my constituents from servile devotion to an administration that shows no respect to their feelings and their character. Upon every point connected with the interest and principles of South Carolina, and the correct policy of the nation, it shall have my support. The senator seems to consider the union party and the old radical party in South Carolina as identical; and as well versed as he may be in our local politics; he will permit me to put him right. The union party in South Carolina cannot be said to have had an existence antecedent to 1830, unless they may be considered in fact and principle the old federal party. Taking this for granted, the gentleman knows how far back he may be able to establish a "by-gone" fraternity with his union friends. I do not know more than one of the old radical party who ever acted with the gentleman, and he will scarcely be

regarded sufficient to give a party name to a very respectable portion of the population in South Carolina. The gentleman admits that his friends, as well as himself, stood up for principle, and against general Jackson, in the Seminole war. He says Georgia was then where she is now, beside the unionist, standing up for the right, and reprehending the wrong.

I am inclined to believe that if the gentleman would retrace the history of his own state, he would find himself and his friends occasionally as much at war with the union, as ever the South Carolina unionists have been. Upon the whole, one remarkable difference is found in the honorable gentleman's course and mine. I am constant with my position. He censured general Jackson when he was out of power, and I sustained him; and he sustains him in power, while, in the case now before the senate, I do not, for the reasons detailed, which he affects to consider most extraordinary. He must not indulge in visionary apprehensions as to what I shall do. Sufficient for the day is the evil thereof. He says the union party brought me forward for governor and thereby postponed the present incumbent. The gentleman here tells again into an error, the same persons who brought me forward for governor, brought me forward for the post I now fill; and I consider myself here representing in the senate the principles of the old radical party, which is another name with us for the old republican or State Rights party.

The gentleman says that I liked not the first cabinet, and less the last. This last assertion is not warranted by any thing which has fallen from me. It is not true that I like the second cabinet less than the first. I have voted to confirm the appointment of all the latter, and I would not vote for all the first if they were before us now for confirmation.

The gentleman denies, with great emphasis, the fact of the nominee having any agency in the ripping up the cabinet transactions in relation to the Seminole war. I stated my belief from the facts before the public, and the gentleman and myself draw different inferences from those facts. He says the facts before the public prove that the charge is the "coining of a discoloured coin, and baseless as the fabric of a vision." [Mr. Miller did not understand Mr. Forsyth, as using in the debate, such strong language, and will now repeat his belief, as he heretofore has done, and further his impression that he could, upon the evidence, convict him before any impartial jury, unless the gentleman should furnish to such jury other information than he has done to the senate. If he mistake not, the gentleman had something to do with this matter, and his opinion may be entitled to a consideration which Mr. Miller's does not possess. The high authority referred to, together with the personal knowledge of the senator, may convince him, but not others, who are less informed on this subject.]

I shall not take any step; to prove the guilt or innocence of the nominee, as requested by the gentleman. It does not concern the public or myself farther than it constitutes a feature in the history of the present life, and I am at liberty to state my belief and when called on to give my vote.

The gentleman misunderstood me, if he supposed I objected to the establishment of the Globe, as the government paper, by Mr. Van Buren, or any one else. I concede the right of every man, public or private, to establish presses; but in doing so, they must take them *cum onere*. If they abuse me and my friends, by their express or implied authority to obtain favor with others, they must look to those who they themselves desire to propitiate for support.

Now what are the facts here? Pending the nomination, a majority of the legislature, constituting the entire mass of my political friends, pass a resolution approving of so much of gen. Jackson's late message, as

recommends a reduction of the tariff to a revenue measure, and the most disingenuous and base motive is attempted to be fixed upon them, by an administration print, which is the mouth-piece of the nominee and his party. In this matter, I put myself on my reserved right, and if I had no other ground to stand on, I would substitute my will for the reason, and reject the patron of such a press. It is one of the sovereign rights of a freeman to put those who ask his vote for office, at least upon terms of respect.

Mr. Marcy's remarks on the resolutions offered by Mr. Holmes.

When the resolutions offered by Mr. Holmes were under consideration, and towards the close of the debate, Mr. Marcy observed that he had not intended to make a single remark upon the subject then before the senate; yet he was unwilling to give a vote, from which it might be inferred, unless it was accompanied with a word of explanation, that he wished to suppress inquiry. That was very far from his intention. If any honorable senator has reason to believe that the person whose nomination is now under consideration, is chargeable with improper conduct, and will introduce a resolution specifying the charge, and asking for inquiry, he would give it his support as readily as any member of that body; but the resolutions offered by the senator from Maine, (Mr. Holmes), were of an exceptional character; for in addition to impeaching, indirectly, if it may be so considered, the integrity of the president, by proposing to ask if he had stated the *true* reasons for the dissolution of his late cabinet, it will bring before the committee, if it should be adopted, a mass of matters very difficult to be inquired into, and not at all connected, as he conceived, with the vote to be given on the nomination of Mr. Van Buren. No committee to which these resolutions will be sent, will voluntarily enter into the various matters which some gentlemen may suppose to be within the scope of the inquiry into the causes of the dissolution of the late cabinet, and the senate ought not to impose that labor on them, unless it be proposed to show that Mr. Van Buren had an agency in that affair. It is not pretended—certainly not by the resolutions—that he was connected with the event. It is true, that the resolutions, after the introduction of much irrelevant matter, propose to inquire whether Mr. Van Buren had not participated in practices disgraceful to the national character, &c.

Let any senator, who believes such practices ever had in point of fact, any existence, put them forth specifically in a resolution, and he would, he said, vote to send it to a committee for investigation; and if they were found to be true, let the nominee be rejected. The designation of offenses by the terms of "practices disgraceful to the national character," was very vague—quite too vague. The nature and character of these practices should be defined, that the senate may know the duty they impose, and the committee the duty they are required to perform.

The proposed resolutions, as now shaped, make no specific charge, and give no cert-in direction to the inquiry. He therefore felt himself called on to vote against them, or to vote for laying them on the table; but when a case for inquiry was presented, he would vote for going into it. Indeed, he wished to be distinctly understood as inviting inquiry; but in fairness, it should be on specified charges.

To some of the practices intended probably to be in the resolutions, we have, he said, the solemn public denial of Mr. Van Buren, accompanied with a challenge to all the world for proof and no man had yet been found to accept that challenge and come forth with proof. Those who best know the character and conduct of the nominee feel the fullest confidence that nothing dishonorable or degrading in the slightest degree, can be substantiated. So far, therefore, from closing the door of investigation, they are willing to be instrumental in opening it.

¶ We have now given, we believe, all the speeches concerning the nomination of Mr. Van Buren that have been reported and published, whether delivered by his supporters or opponents. As it has been several times asked, what did Messrs. Tazewell and Tyler say—

may be proper to add, that, so far as we are informed, they only said *yes*, when the question on ratification was put to them, though a writer in the Richmond Enquirer says they "should have been heard in a voice of thunder." Mr. Mangum is said to have offered a few remarks, in which he objected to the tone and tenor of Mr. Van Buren's instructions, but thought that they did not call for, or justify, his rejection.

¶ The present number completes the 41st volume of the REGISTER. It contains 480 pages—and the *Addendum* of reports made by the committees of the New York Convention makes 64 pages more, in all 544 pages of close matter; besides the title page and table of contents which we expect to publish this day fortnight. This volume and the last, perhaps, contain a greater amount of reading and record matter than ever was published in book-form for the same money, under the same circumstances, and a rigid impartiality has been observed as to the selections. The *extra* expenses of the year now ended, to give value to the REGISTER as a book of reference, have exceeded one thousand dollars—and yet other gratuitous sheets would have issued, if the cost of them could have been afforded. The new year, it is hoped, will give increased means, and the *quid pro quo* shall be furnished with as much pleasure as it is received.

There are very few copies of the present and last volumes more than must be laid aside for the whole sets of the work kept full—and these volumes will not be sold separated from a regular subscription for the coming year—or the payment of ten dollars, for the past and running year.

Several reports of committees of the New York convention are yet to be circulated as added to the REGISTER; but those to issue will be annexed to the *ensuing* volume—some of them will not be ready for a considerable time; and a great deal of labor in statistical matter must have to be delayed until after all the reports are in. The whole, however, shall issue with all possible despatch, for the public information.

¶ There was a great meeting of the employers and journeymen hatters held in Baltimore on Thursday evening last, and a committee was appointed to remonstrate against the principles of the bill reported by Mr. McDuffie, or any other proceeding which shall have a tendency to reduce the amount of wages paid to working people in the United States. We have not time or room to give particulars. It may be expected that like proceedings will be had by the manufacturers and workers in leather, cabinet wares, and the many other trades which have reached a high degree of perfection, through the paternal care of a wise and enlightened government. It is unreasonable to expect that these should be placed in open competition with the *pauper laborers* of Europe—for they have to bear "the burthen and heat of the day"—they are the rank and file of the country; as glory in prosperous peace, and sure defence in war.

THE CENTENNIAL BIRTH DAY OF WASHINGTON seems to have been very generally celebrated by processions, orations, and social and convivial meetings of the people of the United States—by the firing of cannon, ringing of bells, display of flags—by civil, religious and military ceremonies—and by shows and exhibitions, plays and sports of various kinds; a relaxation from business having generally taken place to honor the memory of the "father of his country"—"first in war, first in peace and first in the hearts of his countrymen;" whose example is precious to America, but whose name is the property of all who love, or shall love, liberty in every clime and every age, and will endure—until "chaos shall come again."

The proceedings had in congress, in preparation for the day and on the day itself, shall be laid aside for preservation—for they will be much looked to in times to come, and persons will wonder at some things that happened! We are also specially desirous of giving place to the thrilling speech of Mr. Burges, of Rhode Island, in support of the proceedings suggested to honor the memory of the "mighty dead." It is one of the best finish-

and eulogiums that we ever met with—and among the apparent efforts of that learned and powerful orator.

At Washington, divine service was performed by the chaplains to congress in the hall of the representatives—there was a military procession, a large dining party and two public balls. The vice president, speaker of the house of representatives, &c. attended service in the capitol and the ball at Carusi's saloon: the president is not mentioned as attending either. Mr. Webster presided at the dinner party, assisted by gen. Mercer, of Virginia, gen. Jones, of Washington, and gen. Vance, of Ohio. Mr. Webster pronounced a speech of an hour's length, in which he is said to have "exceeded himself"—and gen. Mercer, gov. Barbour, Mr. Huntington, Mr. Newton, Mr. Holmes, Mr. Sinner, Mr. Prague, Mr. Pendleton, Mr. Robbins, Mr. Cox, and Mr. Crane, also addressed the company. All the addresses were reported, and will be published.

The ceremonies of the day were rendered more interesting by the presence of the "Washington Grays," of Philadelphia, an elegant company of volunteers, who had made the journey to visit the tomb of Washington on the anniversary of his hundredth birthday.

We desire also to give some account of the proceedings in our own city and at other places. The procession at Philadelphia was so large that it required two days for it to pass; and from the preparations made at Boston, New York, and many other cities and towns, at Wednesday, the 22d inst. would seem to have been days of general rejoicing.

STATISTICS. We have often complained of the want of statistical knowledge. Few nations called civilized are such beggarly accountants of their affairs as our own, except as to the ordinary operations of government. We may be said to have nothing at all, in statistics, except the population tables every ten years, and the annual treasury reports concerning navigation and commerce—miserable and meagre enough in themselves, while the little practical good that might be in them, is rendered valueless by the delay that attends their publication. Let this be "reformed."

With respect to this subject, the committee of the New York convention to which was referred "the subject of chemistry as connected with manufactures and mechanical arts," have the following strong and happy remarks:

"Statistical facts are valuable in proportion to the promptness with which they are known. When delayed, they are more a matter of curiosity than of practical usefulness."

"A well organized system of statistics would not only be a guide to the statesman, enabling him to legislate in the intricate subject of trade understandingly, but would inform the merchant on the important matter of consumption and supply, and save him from the many errors into which he is liable to be led, by reason of his unavoidable ignorance in this particular. Such intelligence often, and promptly communicated, would, in a great measure, prevent the occurrence of that scarcity and consequent enhancement of price, which so frequently takes the consumer by surprise; and, on the other hand, would guard against that excessive glut and consequent ruinous reduction of prices, which have done more to involve the enterprising merchant, and injure the manufacturer, than all the foreign competition that can be combined against them."

Under the impressions so well expressed in the preceding extract, we were much pleased to observe the following proceedings in the senate of the United States, on the 15th inst. and tender to Mr. Holmes our hearty thanks for the resolution that he offered:

Mr. Holmes rose to offer a resolution calling for information according to the act of congress, 1820, requiring the secretary of the treasury to lay before congress, at the opening of the session, a statement of the commerce of the United States with all countries. Mr. Holmes said that, as the provisions of the act have been made particularly to enable congress to obtain information that would enable them to act understandingly on questions which might arise relative to commerce, the importance of the resolution would be seen at once. By the act, the secretary was requested to make the re-

turn as soon as possible after the 1st of December, at each session. The returns were to be made quarterly, near the 1st of September, December, March and June. The last year, this document, which should have come in early in December, was withheld until after the close of the session; and at the first of March the senate were informed that the secretary would not be able to make it out during the session of congress; and it was not until eight weeks after the members had returned home that the statement made its appearance. It was very extraordinary that the statement was not made out on the 1st of March. We know that it was not received until eight weeks after congress adjourned, and the senate will see that it is important to ask the reason why the statement was not given before the close of the session, in order to apply the proper remedy, if there was in fact any reason why this could not be done. We are now far advanced in the present session—the subject of our commercial relations with the British colonies has come up before congress, under peculiar circumstances—information has repeatedly been sought for from the executive, and yet this document is withheld, which all must see to be important and necessary to enable congress to act understandingly upon this question.

The document referred to should have been communicated to the senate near the 1st of December—and more than two months have elapsed since the time which the secretary is required by the act of congress to present it, and yet nothing has been seen or heard of it. The request might be made and the returns given all within the space of six days, and yet for seven weeks it has not been done, and the duty has been neglected. He wished also to know what had become of the answer to the resolutions that were long since submitted by himself and his colleague relative to the trade between the United States and the British West India colonies calling for important information, most of which could have been given long before now? Some of it might not have been obtained at that time—but can it have been necessary to spend two months in collecting it? In order to know the reason why this information had not yet been received, and why documents so important to the senate were withheld—

Mr. H. submitted the following resolutions:

Resolved, that the secretary of the treasury be directed to inform the senate why the statements of the foreign commerce of the United States required by the act of the 10th February, 1820, have not been transmitted to congress, and if there is any impediment to a compliance with the provisions of that act, what legislative provision is necessary to remove it.

Resolved, That the secretary of the treasury be directed to inform the senate why he has not reported in answer to their resolution of 22d December, 1831, calling for information in regard to the British colonial trade, and when the answer is to be expected.

Surely, time enough has elapsed to obtain and prepare the facts belonging to the business of the year which ended five months ago, on the 30th September 1831. Millions have been lost to the people for the want of statistical knowledge. They only get acquainted with commercial facts when they are "more matters of curiosity than of practical usefulness," and the labor and cost of preparing and publishing them is almost as if wasted.

OUR RIVERS. There was a tremendous rising of the waters of the Ohio and its tributaries on the 9th and 10th inst. On the latter day it was forty feet above low water mark at Pittsburg—many parts of the city were overflowed, and Alleghany-Town was under water. Houses, barns and stacks of hay and grain, were instantly passing down the Ohio—fifty houses are said to have been swept away, or turned over, on the Alleghany river alone, but the noble bridge and aqueduct resisted the flood and stood fast; among other things, 16,000 barrels of salt were carried off by the rise of waters in the Kiskeminitas. At Wheeling, the flood was 5 or 6 feet higher than ever known before: 42 houses were swept away from South Wheeling—35 houses were seen passing down the Ohio on the morning of the 11th, and a large warehouse, filled with flour, lodged on the upper

part of the island! A gentleman who ascended the river in a steam boat, says that they met *two hundred houses* descending with the torrent. The amount of damage sustained must be, indeed, heavy—for all the towns and villages, on the whole course of the river, must have partially suffered, and the low lands have been swept of every thing that was moveable. The line of desolation is several hundred miles long—but as yet it does not appear that the life of any person has been lost.

The floods in the Susquehannah have, also, been awful. In some places the ice was piled up *fifty feet high*.—The bridge at Columbia, perhaps the greatest structure of its kind in the world, has been nearly carried away.

It is stated that the Indians from the Rocky mountains, who some time since arrived at Washington, spoke of the present as a season of floods—because that the bearers had built their houses much higher than usual!

"PASSING STRANGE!" The editor of the "Harrisburg Intelligencer" of the 17th inst. expresses "regret, that those to whom was entrusted, by the tariff convention in New York, the dissemination of the reports of the several committees, should have been so negligent of their duty. We have yet seen no report of the committee on iron, and we have seen no man in this section of the country who has. Why is this?"

We ask, *how is this?* The report on iron was promptly published—and widely distributed early in December; and a package containing nearly 1000 copies was sent, carriage paid, to two members of the convention resident at Harrisburg—the report was published as an "addendum" to the Register on the 17th of December, (as have all the reports yet in, two or three just received excepted), and so distributed far and wide—and further, 2000 copies of this report on iron were deposited at the lodgings of the gentlemen composing the Pennsylvania delegation in congress, for general circulation—supposing they would feel a deep interest in this matter; and yet many copies have been variously sent into Pennsylvania, at no small expenditure of labor and time. How then it has happened, as stated in the "Harrisburg Intelligencer," is wholly past our finding out—for the editor receives the Reports *raw*, and should, at least, have seen *one copy* of all the reports that have been published.

MONEY. The pressure for money continues—for large quantities of specie are exported; and the effects on persons extensively engaged in business are distressing—in many cases, the acquisitions of an industrious and useful life are swept away in a moment, by the bankruptcies of individuals thought solvent, and who, most probably, would have faithfully met their engagements, had the usual facilities been extended to them. Powerful efforts have been made, however, to encourage or sustain worthy men—but we should be glad to believe that the "worst is over." Specie has rapidly departed from us, and no business is doing to bring much of it into our country—it is deficient in quantity, and an alarming contraction of the currency necessarily follows.

A NEW LEAF FROM THE BOOK OF CONTROVERSY! The National Intelligencer of Tuesday last contains four closely printed columns of letters given to the publisher *Charles J. Wickliffe, esq.*, one of the Kentucky delegation in congress, which we feel compelled to postpone—because that our present number terminates a volume, and the insertion of many articles belonging to its period is required; and besides, it is most probable that this new matter will begot other statements, and it is best that every particular subject should be confined within a volume, if practicable.

The general facts are these: It has been repeatedly stated in the "Globe," and by Mr. Eaton, in certain of his addresses, appeals, &c., that, during the session of congress 1829-30, a meeting of members of congress, friends of Mr. Calhoun, was held, for the purpose of forcing Messrs. Van Buren and Eaton, but especially the latter, out of the cabinet; and the names of individuals, particularly that of Mr. Wickliffe, have been bandied about as connected with this "CONSPIRACY;" hence the present exposition.

Mr. Wickliffe states, that in March, 1830, Messrs. Hugh L. White, Felix Grundy, Robert Desha, Cove Johnson, and James K. Polk, of Tennessee; and George M. Bibb, and Henry Daniel, of Kentucky, met him, at his request, in Mr. Bibb's room, with a view to consider the propriety of urging on the president the necessity of holding cabinet councils, which had then recently been discontinued; that all the gentlemen present joined heartily in the proceeding, and appointed Mr. Bibb to make known the wishes of his friends to the president of the United States—which was done accordingly. That this was the *only* subject considered by the meeting alluded to—supposed to consist of the most firm and resolute of the friends of the president; and the least likely of any to enter into a "conspiracy" to favor Mr. Calhoun, or embarrass the administration of General Jackson.

In consequence of the charges preferred, as briefly stated above, Mr. Wickliffe addressed letters to all the gentlemen named,* requesting they would state what happened at the meeting in March, 1830, at Mr. Bibb's room. Messrs. Daniel, Johnson, and Bibb, have freely and fully replied to Mr. Wickliffe, entirely sustaining the facts just stated as to the objects of the meeting and the proceedings had on that occasion; but Messrs. Polk, White and Grundy have *declined* to furnish statements of what passed in Mr. Bibb's room—not being satisfied of the necessity or propriety of any exposition of the subject; they would "not keep alive discussion from which, (as Mr. White says), no public good can result."

Mr. Daniel says, that a resumption of the practice of holding cabinet councils was wished, because "that the advice of such council is 'more disinterested than the advice of the irresponsible swarms of individuals who surround every executive.'" Mr. Johnson says to Mr. Wickliffe, "I then and still believe that your motive for getting up that meeting was pure and patriotic, to advance the interest of the country, and the issue of the administration," and that the proceedings had relation only to the holding of cabinet councils. Mr. Overton, (one of the oldest and firmest friends of gen. Jackson, being then on a visit to him), was invited to attend, though not a member of congress—but did not. His purposes and proceedings, however, he says, (in reply to Mr. Wickliffe), were made known to him; he heard of nothing that he thought inimical to the president or major Eaton; but gives it to be understood that if he had attended the meeting, he should have agitated the removal of the latter; and says that he had advised the president to *dismiss* major Eaton, as well as major Barry. Mr. Bibb's letter is long, and very particular as to the points charged against the persons who attended the meeting, and peremptorily denies all the allegations made as to a subversive to Mr. Calhoun, a desire to "dispose of" Mr. Van Buren or major Eaton—or to do any thing more than recommend weekly meetings of the cabinet, in council. His letter concludes in the following strong terms:

"I regret that you should have been driven to the necessity of defending yourself against the accusation contained in those publications—an accusation founded on a total perversion and distortion of your motives and conduct. This you may look upon as springing from that curse to which men in power are incident—to be attended by those who seek to ingratiate themselves by misrepresentation and detraction; whose selfish aims may thrive by falsehood and the passions, but sicken and die in the sunshine of truth and reason."

Mr. Blair, editor of the "Globe" refused to publish the statement of Mr. Wickliffe and the letters noticed above, though his paper first published the articles which rendered this exposition necessary. Hence its appearance in the "National Intelligencer."

The whole shows a strange state of things. We feel it more necessary to publish this correspondence, for the reason that the refusal of the "Globe" to insert it, will probably be followed by that of all the editors appointed to publish the laws, "by authority."

* Except Mr. Desha, who had already vindicated himself on the points made against the meeting.

"A TOUCH OF THE ROMANTIC." The following is an extract from a grave report of the committee on commerce of the house of representatives of the United States, presented by Mr. Cambreleng, Feb. 3, 1830—and of which, because of the importance of the facts that it contains, some six or ten thousand copies were ordered to be printed!

"Of the coasting tonnage of Great Britain, there was no account authorized till 1823; in that year it stood at 7,527,827, in 1827, it was 8,648,868 tons. Part of this increase is owing to the inclusion of the Irish tonnage; but it is principally to the rapid increase of her navigation in the coasting trade. The mere increase in coasting tonnage for five years, is more than equal to the whole enrolled and licensed tonnage of the United States, whether employed on our coast, on the Mississippi, Missouri, Ohio, on our northern lakes, or in the fisheries."

[21st con. 1st session, Rep. No. 165, page 22.]

The time was, when congressional reports were regarded as solemn affirmations of ascertained truth, deliberately weighed by the committees, and they were held responsible for the facts set forth; the time is, when reports of committees are smuggled into the house, and no responsibility is encountered because of the contents of them. The preceding extract shows an enormous devotion to error, or an extraordinary amount of stupidity. On one of the horns of this dilemma, the "honorable chairman" of that committee must rest. His assertion as to the increase of the British coasting tonnage, plainly shows that he himself was silly enough to believe, or wicked enough to impose that belief on others, that Britain really employed 8,648,868 tons in her coasting trade! It is a THUNDER! The best tale of "Mendez Pinto" was but a type of this giant official MISTAKE!

The forthcoming volume of Mr. Williams' truly valuable work, the "New York Annual Register," has the following item:

Tonnage of Great Britain and Ireland.

From an abstract of returns made to parliament, it appears that the number of ships and vessels belonging to the different ports of the British Empire, in 1829, was as follows:

	Ships and Vessels.	Tons.
England,.....	13,977.....	1,758,465
Scotland,.....	3,228.....	308,297
Ireland,.....	1,413.....	101,994
Isles of Jersey, Guernsey & Man, &c.....	492.....	31,603

Grand Total,.....19,110.....2,199,959

Entered the Ports of the United Kingdom in 1829,

	Vessels.	Tons.	Men employed.
British,.....	13,659.....	2,184,535.....	122,185
Foreign,.....	5,218.....	710,303.....	39,342

Cleared.

British,.....	12,636.....	2,063,179.....	119,262
Foreign,.....	5,094.....	730,250.....	38,527

Steam Boats owned in the United Kingdom.

	Vessels.	Tons.
England,.....	241.....	20,611
Scotland,.....	75.....	5,953
Ireland,.....	26.....	4,791

Total,.....342.....31,353

The Tonnage of the United States of America in 1829, was as follows:

	Registered	Enrolled and Licensed	Total.
Tons, 650,143.....	610,654	1,260,977	

The amounts of the tonnage of the principal ports are as follows:

	Ships and Vessels.	Tons.
London,.....	2,663.....	572,835
Newcastle,.....	987.....	202,379
Liverpool,.....	805.....	161,780
Bristol,.....	316.....	49,535
Hull,.....	579.....	72,248
Sunderland,.....	624.....	107,628

So, the whole tonnage of England, Scotland and Ireland, and of the adjacent isles, was only 2,199,959 tons, in 1829, or two years after Mr. Cambreleng said that the coasting tonnage, alone, of the United Kingdom was

8,648,868 tons. What a rapid decrease there must have been in these two years, being no less than in the sum of nearly six millions and a half of tons, or about three times as much tonnage as the United Kingdom ever possessed! This is not easily reconciled—but the facts are "officially" stated, and what free trader dares dispute them?

SOLENN—AND IMPORTANT! It will be recollected that lieutenant Webb, the colleague of major Montecucoli Massachussetts Noah, (who is also high-priest and king of the Jews, by his own proclamation), in the editorship of that most venomous and voracious journal, the "N. Y. Courier and Enquirer"—(in which "democrats" are made by new nibbings of the pen, or turned into "federalists" at the good pleasure of these omnipotent politicians, though both have been hurled out of the great manufactory of "patent republicanism" at Tammany Hall), a good while ago journeyed from N. York to Washington, (venting his rage along the road, and telling every body what he would do), for the express purpose of cow-hiding general Green. Some days after his arrival, the gallant lieutenant met the gallant general, and, bravely presenting his cow-hide, politely requested that the latter would take a little of its oil! But the general thought that two were necessary to an arrangement of that sort, and drew from his breeches-pocket a mahogany-tipped pistol—of which the lieutenant took a close observation, and ascertained that the stock and barrel were exactly eight inches and three quarters long; but fearing that it might "go off," he lowered his cow-hide and made a learned speech at the general, who laughed for a while, but, being in a hurry, he politely requested the lieutenant to stand aside, which he did—having the fear of the percussion-stock before his eyes — and then the lieutenant went back to New York, taking the cow-hide with him, to be laid up, with major Noah's title to the kingship of the Jews, in *perpetuum rei memoriam* of the ridiculous and sublime. And so that matter ended.

But this same lieutenant Webb, now made into colonel Webb—("son of the late general Samuel B. Webb, of the army of the revolution and de-lcamp in general Washington"), recently addressed a very modest letter to some person unknown to us, who gave it to the public, as a specimen of the beautiful in politeness—and general Green made certain contemptuous remarks on that part of the letter which related to himself. Then was the anger of the colonel roused! He received the blessing of the high priest of the Jews and surveyor of the port of New York, and was again off to Washington, breathing gunpowder and proclaiming death! Having arrived, he sent a Mr. Barrell to general Green with a bit of paper "ready cut and dry," which he was required to sign. But when it was presented, the general enquired of Mr. Barrell if he was the representative of colonel Webb, and the latter assenting—the general went to his desk, and, taking a cow-skin in one hand and a pistol in the other, said to Mr. Barrell, "sir I am going to cow-skin you," and he did it. Some persons interfered and not much damage was done—and Mr. B. regaining possession of his hat and spectacles, which had been knocked off in the scuffle, returned to make a report of what had happened, bringing with him the "apology" that general Green would not make. Then the colonel knowing not exactly what he ought to do—consults "nearly thirty

*Yet sometimes at the head and sometimes at the tail distinguished society.

§Like one of Voltaire's heroes, he called forth—
"Pour faire voir à tous les potentats
Ce qu'il peut faire, et ce qu'il ne fit pas."

†That the people might see how detestable are the means by which the wires of party are worked, and how despicable are those who pull these wires, we should publish this letter of "James Watson Webb"—but it would give the thing a greater degree of importance than it deserves;—and error enough has been committed in this way, perhaps, by inserting the present article.

‡Mr. Green seems to have regretted that he felt it necessary so to treat Mr. Barrell, who seems a worthy man; but had he been a thinking one, we would have calculated the effects of the message that he was charged with.

gentlemen of standing and respectability," as he says, and "at four o'clock on the afternoon of the same day posted up, in front of Gadsby's and Brown's hotels, the following card:"

"TO THE PUBLIC.

I publish general DUFF GREEN to the world, as a SCOUNDREL and a COWARD.

JAS. WATSON WEBB,

of New York.

Washington, February 6, 1832.

But this was not all. The colonel, for the amusement of the public, (and we assure him it has caused many a laugh), went to work, and prepared a full account of the whole affair, telling many queer things, which he published on a broadside of large foolscap paper, favoring us with two copies; and we would advise, in return for this compliment, that we would advise, and placed at the left hand of the entrance into Tammany Hall—the right, for all that is contemptible and ridiculous, being appropriated to the proclamation of major Mordecai Manassah Noah, high priest and king of the Jews, grand sachem of the snake tribe, and surveyor of the port of New York—once rejected by the senate, but re-nominated and "rewarded."

HOT TIMES AT WASHINGTON! The "Telegraph" of the 22d, distinctly, and without ceremony, charges John H. Eaton, secretary of war, and gen. Coffee, the nephew by marriage of gen. Jackson," then being commissioners, on the part of the United States, to conclude a treaty with the Choctaws in Mississippi, with having "wrote a great number of letters to the most influential citizens," urging the rejection of the governor of Mississippi's appointment of Mr. Poindexter, as a senator of the United States; and any, "if the president will authorize any one to deny" the facts stated, they "can be proved, according to the strictest rules of law," &c.—And adds, that notwithstanding this interference—and the fact, that though Mr. Poindexter was far distant from his state at the time and his health such "that many believed he was incapable of business of any kind," he was elected with only five dissenting voices, &c. These are bold charges—and, if true, of most extraordinary character.

And the "Telegraph" and "Globe" contain many letters which have passed between Mr. Poindexter and his friend, Mr. Warren A. Davis—and Mr. Moore, of Alabama, and his friend Mr. Miller, of South Carolina, with Mr. Hoffman, Mr. Angel, and on the part of Mr. Soule, and Mr. Bergen, members of congress, from New York, because of the matters referred to in the "cards" published in our last. It is probable that we might have made room for the several notes of the persons named—but colonel Webb, of the "New York Courier and Enquirer," had a part in the correspondence between Mr. Moore and Mr. Bergen, and the excessive length of his statements and remarks would forbid a present insertion of the whole, if we could reconcile ourselves to copy from the "Globe" so coarse an article.

"A TOUCH OF THE RIDICULOUS." An essayist in a New York paper speaking of the cost of ship building in England and America, after going into some very nice and accurate calculations, makes it out that, because of dearer *tobacco*, and the extra price of iron, hemp, and sail cloth, a ship of 500 tons costs exactly 9,147 dollars more in the United States than in England—which more counterbalances the increased cost of wood, in the

In proof positive that this "free trade" gentleman is right, we offer this simple fact—that ALL the magnificent packets and other first rate ships that ply regularly between Boston, New York, Philadelphia and Baltimore, and Liverpool and London, are AMERICAN built, and navigated by American seamen, though British built and navigated vessels may enter our ports on the same terms as our own!!! But this, by the license which "free traders" use, perhaps will be ascribed to the want of capital and enterprise in Englishmen to interfere in that important and profitable branch of navigation! Pshaw!

The result of this tale is like a certain discovery of the perpetual motion. It was beautiful in its theory, but had

one practical fault—IT WOULDN'T GO. "Nothing else was the matter with it!"

REMONS. It is said that Mr. Rives is to be transferred from France to England, with an outfit of \$9,000—that Mr. Livingston is to succeed Mr. Rives—that Mr. Tazewell is to succeed Mr. Livingston—that col. R. M. Johnson is to succeed Mr. Cass, who is to succeed somebody else, not named. These things have been repeated several times, and it is possible that some of the changes are contemplated.

"FREE TRADE." From a late London paper. It is remarkable that, while the silk weavers of England are all complaining, and not without cause, of the wretched condition to which their trade has been reduced by the competition between them and the French, the weavers of France are absolutely in a state of insurrection in consequence of the low rate of wages to which they have been brought down, in order to enable their masters—or rather, their masters' masters, to undersell the British manufacturers. There must be something radically bad in this state of things. Silks of all descriptions are in great demand, yet those who live by manufacturing them can scarcely procure the means of existence. It appears to us that the competition now existing between the French and English silk manufacturers is injurious to both parties—though not, perhaps, in equal proportions. The English certainly suffer the most by it. At any rate, we are of opinion that if French silks were prohibited tomorrow, the French manufacturer would not be injured by the measure. As it is, the French and English manufacturers are set to knock each other down, like two pugilists at a prize fight, for the benefit of the standers by. As a proof of the mischievous effects of this state of things, with regard to the English ribbon weavers, we have only to state that the poor rates of Coventry have nearly doubled since the passage of the act admitting the importation of French goods. The following resolutions, which were passed at a public meeting held last week at Coventry, sufficiently illustrate this fact:—

"That the poor rates in this city have nearly doubled since the passage of the act. They amounted for the year ending the 12th day of April, 1826, to £11,232 14s. 4½d. and for the year ending the 19th day of April last, to £20,314 5s. 6½d.

"That the payments to the casual poor, (consisting mostly of persons requiring temporary relief for want of employment in the parishes within the city), for the year ending the 12th of April, 1826, amounted to the sum of £4,069 2s. 3d. and for the year ending 19th April last, to £4,087 4s. 10d.

"That the poor rates for the parish of Foleshill, in the county of the said city, containing about 7,000 inhabitants, principally employed in the manufacturing of silk ribbons, amounted in the year ending the 25th of March, 1826, to £1,819 8s. and in the year ending the 25th of March, 1830, to £3,462 18s. 4d.

"That the payments to the casual poor in Foleshill, for the year ending the 25th of March, 1826, amounted to £527 6s. 11½d. and for the year ending the 25th of March, 1830, to £1,538 2s. 10d."

Here is a practical illustration of the benefits of "free trade." If England will admit American breadstuffs on the payment of a small duty, such as is assessed on our cotton, her great landholders and fat national priests would be "reformed," alias broken down, in less than two years, and there would hardly be enough of tax-paying people left to supply money for the poor rates alone; for these would be yet mightily increased because of our interference with the agricultural labor of England: and on the other hand, if we admitted freely the cheaper products of British labor in manufactures, (and so generally they now are, because of the wretchedness of the working people), we should not have one dollar to jingle against another in six months, and the hundreds of thousands of persons dependent on manufactures and the mechanic arts would hardly obtain a sufficiency of bread to keep soul and body together. The cheap price of provisions has only a distant relation to the facts suggested. When industry was prostrate in 1821-22, though bread was "cheap" it was hard to purchase enough of it, in many parts of the U. States, for

labor was not in demand, and money was wanting wherewith to pay for it. Thousands have miserably died in Ireland because of the lack of food, though potatoes were at less than one-third of a cent per lb. for that third of a cent could not be earned. And it is a strange fact—one indeed of most solemn importance when considering such subjects, that, when money has been raised in *England* to relieve the starving population of *Ireland*, a large part of it has often been disbursed at *Liverpool*, in the purchase of provisions which had just been received from *Ireland*, to liquidate the "balance of trade" which is continually grinding the latter to the bone, and perpetually heaping one privation on another, until the poor laboring classes in Ireland are always in a state of semi-starvation; or divested of those comforts which render life desirable. What would WE think if English charity should be expended in the purchase of *American* flour at *Liverpool*, to feed the people of *Maryland*?—But such is exactly the case in which Ireland is placed by her "free trade" with England—in which also her nobles and wealthy men expend the money which they wring from their tenants and other dependents; every new drain of value creating some new suffering for this unfortunate people. If "cheap" labor is beneficial, how prosperous ought Ireland to be—if "dear" labor is injurious, how great should be the amount of individual suffering in New York and Pennsylvania. If slave labor is most desirable, how happy must be the people of lower Virginia and South Carolina,—and it saucy and well-fed labor is ruinous, how deplorably conditioned are the inhabitants of the New England states! Pah!—we have no patience with that breed of scurvy politicians that would put the free laborers of the United States, the farmers, mechanics and manufacturers, on a level with English paupers or Irish peasants—which, as to subsistence, is below that of the slaves which blacken so many parts of our own country.

We shall add a few extracts from late English papers on this subject.

Mr. Edward Gibbon Wakefield has lately published at London a pamphlet entitled "Swing Unmasked." The following are extracts. It is not easy to believe that the facts set forth exist—but there is no manner of doubt that they do.

"What is that defective being with callous legs and stooping shoulders, weak in body and mind, inert, pusillanimous, and stupid, whose premature wrinkles and furtive glance tell of misery and degradation? That is an English peasant and pauper; for the words are synonymous. His sire was a pauper, and his mother's milk wanted nourishment. From infancy his food has been bad as well as insufficient; and he now feels the pains of unsatisfied hunger nearly whenever he is awake. But half clothed, and never supplied with more warmth than suffices to cook his scanty meals, cold and wet come to him, and stay by him, with the weather. He is married of course; for to this he would have been driven by the poor laws, even if he had been, as he never was, sufficiently comfortable and prudent to dread the burden of a large family. But, though instinct and the overseer have given him a wife, he has not tasted the highest joys of husband and father. His partner and his little ones being, like himself, often hungry, seldom warm, sometimes sick without aid, and always sorrowful without hope, are greedy, selfish, and vexing; so, to use his own expression, he 'hates the sight of them,' and resorts to his hovel only because a hedge affords less shelter from the wind and rain. Compelled by parish laws to support his family, which means to join them in consuming an allowance from the parish, he frequently conspires with his wife to get that allowance increased, or prevent its being diminished. This brings begging, trickery, and quarrelling, and ends in settled erast. Though he have the inclination, he wants the courage to become, like more energetic men of his class, a poacher or smuggler on a large scale; but he pilfers occasionally, and teaches his children to lie and steal. His subdued and slavish manner towards his great neighbors shew that they treat him with suspicion and harshness. Consequently, he at once dreads and hates them; but he will never harm them by violent means. Too degraded to be desperate, he is only thoroughly depraved. His miserable career will be short;

rheumatism and asthma are conducting him to the work-house, where he will breathe his last without one pleasant recollection, and so make room for another wretch, who may live and die in the same way."

The picture drawn by Mr. Wakefield of the relation in which the rich and the poor stand to each other in England is a most hideous one; but who will say that it is not a faithful one?

"Is nothing done by the 'nobility, clergy, and gentry,' to conciliate the affections of the pauper mass, by whose toil all their own wealth is produced? Charity! The charity of the poor laws, which paupers have been taught to consider a right, which operates as a curse to the able bodied and well-disposed, whilst it but just enables the infirm of all ages to linger on in pain and sorrow. Soup! Dog's-meat, the paupers call it. They are very ungrateful; but there is a way of relieving a man's necessities which will make him hate you; and it is in this way, generally, that soup is given to the poor. Books, good little books, which teach patience and submission to the powers that be! with which such paupers as obtain them usually boil their kettles, when not deterred by fear of the reverend donor. Of this gift the design is so plain and offensive, that its effect is contrary to what was intended, just as children, from whom obedience is very strictly exacted, are commonly rebels at heart. What else? Is nothing else done by the rural rich to win the love of the rural poor?"

"Speaking generally, since all rules have exceptions, the privileged classes of our rural districts take infinite pains to be abhorred by their poorest neighbors. They enclose commons. They stop foot-paths. They wall in their parks. They set spring-guns and man-traps. They spend on the keeping of high-bred dogs what would support half as many children, and yet persecute a laboring man for owning one friend in his cor. They make rates of wages, elaborately calculating the minimum of food that will keep together the soul and body of a clothopper. They breed game in profusion for their own amusement, and having thus tempted a poor man to knock down a hare for his pot, they send him to the treadmill, or the Antipodes, for that inexpressible offence. They build goals, and fill them. They make new crimes and new punishments for the poor. They interfere with the marriages of the poor, compelling some, and forbidding others to come together. They shut up paupers in workhouses, separating husband and wife, in pounds by day and wards by night. They have poor men in carts. They superintend ale-houses, decoy skittles, deprecate beer-shops, meddle with fairs, and otherwise curtail the already narrow amusements of the poor. Even in church, where some of them solemnly preach that all are equal, they sit on cushions, in pews, boarded, matted, and sheltered by curtains from the wind and the vulgar gaze, whilst the lower order must put up with a bare bench on a stone floor, which is good enough for them. Every where they are ostentatious in the display of wealth and enjoyment, whilst in their intercourse with the poor they are suspicious, quick at taking offence, vindictive when displeased, haughty, overbearing, tyrannical."

The following is an extract from a letter from Mr. G. Fordiani, jun. to the editor of the "London Morning Chronicle," and published in that paper:

"Sir—The letters of your lively correspondent, 'Q. P. Q.' are read with great interest by many of your readers. Frightful as is the picture which he draws of France, it is less frightful, I conceive, than that of our own country presents at the present time. In every point of view, the comparison is in favor of France. The distress in France is chiefly confined, I suppose, to the unemployed in cities and some large manufacturing towns; but in our own country, the distress extends over the whole surface. The numbers of unemployed and distressed manufacturers in Great Britain and Ireland must be much greater than the number of the same class in France, in comparison with the whole population. Then we must add to this evil the state of the farming poor, who are still employed on the roads, in gangs of twenty to forty, plotting the destruction of their masters' property by midnight fires. If there are men in Paris who must support themselves out of a shilling per day, there are many thousands in Ireland who are

obliged to live, (or rather to starve), on two pence a day. The comparison must be greatly in favor of France, because the causes of distress are much less in that country. Compare the debts of the two countries, and the general expenses of carrying on the respective governments. Then look at the comparative costs of established religions. What an immense difference in this single item! The clergy of England and Ireland cost the country more than the clergy of all Christendom besides.—Perhaps you think the comparison might stop here; but that must not be the case, for, to quote your own words, "Taxation in this country is much heavier than is usually thought, immense sums being levied in the country for local purposes, to which, in other countries, the taxes are assigned." Under most of the governments of the continent, the church, education, the administration of justice, the maintenance of the poor, the police, &c. are paid by the state. For all these objects immense sums are separately paid by the people of England; the county rates alone equaling the whole revenue of many a continental kingdom."

It is enough—and these things are true. Such are the fruits of "cheap" labor—such the inevitable progress of a society where the people are divided into masters and slaves, great proprietors or wretched dependents. The middle class, that was the glory of England when the phrase "free born Englishman" meant something, has nearly disappeared, and the cold-blooded aristocrats of our own land will so "rule rough-shod" over our, at present, free and happy working people, if they are asses enough to permit it; and throw up their hats and hurra for a party that would send them and their children suppers to bed. In the awful presence of the SUPREME JUDGE of all things, let it not be imputed to me, that I have had any part in such degradation of HIS creature man!

ADMONABLE. We copied into our last an account of a duel near Port Tobacco, in Maryland, in which one of the parties was said to have been killed and the other badly wounded. It seems that there is no manner of truth in the story.

ABOLITION OF SLAVERY. We have received from New York a well written pamphlet on this subject.—The plan of the writer is the purchase and colonization of two millions of persons, by the government of the U. States! It so disposed, it is, perhaps, within the means of the national government, and the range of circumstances, to keep the colored population in check; but even that would require a large expenditure of money—*if* practicable to colonize and *provide* for them, as we must needs suppose would be done. But the southern people will not agree to be "taxed" to pay for what they regard as their own property—and will, indeed, generally resist the adoption of any measure which looks to a final extinction of negro slavery in the United States. They love their slaves, and say that their slaves love them. We do not see any reason why those who are not slave-holders should press this subject, in separate persons so much pitched to one another—an mutually antagonistic—so happy and contented. We only irritate, by self-righteous feelings to enter into this question. A general emancipation and removal, if ever brought about, must work their own way, and the time will come when something *must* be done. At that time, I suppose gentlemen can find constitutional power by which those of the non-slaveholding states may assist them—no doubt the latter will cheerfully do so; but until then, we are not for obstructing our services on those who scornfully reject them, and would wish them to "manage their own concerns in their own way." We shall do the same. They delight in slave-workers—we love white and happy and *easy* working people. *De gustibus non disputandum.* But in those states wherein emancipation and colonization are *sincerely* desired, let the work go on—as in Maryland for example; and it cannot be complained of by Virginia and the states further south, that Maryland, or the non slave-holding states, should decidedly throw back any part of their colored population which they are disposed to hurl from them, no matter on whom the mischief, that they apprehend to

themselves, may fall! We have enough already of such burthens to bear, for others; and will not consent to receive "foreign" persons of color, to be fed at our expense. If "charity begins at home" with them—so it does with us.

THE CHOLERA. We have accounts from England to the 14th January. There are no official statements as to the progress of the cholera; but 66 new cases were reported at Newcastle on the 8th and 9th Jan. and some at other places. It would seem that the *cholera* had rather subsided, and as if the disease was assuming a less fatal character. It has been computed that since the first appearance of the cholera, fourteen years ago, it has destroyed fifty millions of persons. But that cannot be—though whole districts in Asia seemed almost depopulated by it.

"NULLIFICATION!" At Saco, Maine, on Christmas eve, the rev. William Jenkins married Misses Theophilus, Richard, Thomas, Titus, Jonathan, Ebenezer and John Hinchinson—to Misses Martha, Eliza, Sarah Ann, Mary, Judith Virginia and Peggy Wells. So seven Wells were "nullified" in one evening! A profitable affair for the parson, unless he worked by the job, and at wholesale prices.

THE RAIL ROAD. The business on this road is going on to increase. On Monday last 1,464 bbls. flour, 10 tons pig iron, 66 bushels of rye, 300 do. shorts, 29 tons granite and 48 tons wood, reached Baltimore: 95 wagons arrived and 40, laden with various merchandise, departed.

MARYLAND. It may be expected, we think, that the legislature of this state, at the present session, will pass a strong law to prevent the introduction of slaves and the ingress of free persons of color, and also making liberal provisions for the colonization and comfort of such of the latter as shall be willing to remove to Africa.

BALTIMORE. The board of directors of the Chesapeake and Delaware canal, having refused to suffer the barge attached to the steam-boat lines to pass, unless 10,000 dollars (the demand for a whole year) was paid—passengers now proceed, by land, by way of Frenchtown and Newcastle, as heretofore. They will very soon be conveyed on the rail road. It is well made a question, whether the canal company has not forfeited its charter, by refusing a passage to a boat, (properly fitted for the canal), on paying the lawful toll.

The rail road is so nearly ready that a car has passed the whole distance, from wharf to wharf. If the weather is good, it will be in use next week.

DIED, at Annapolis, on the 17th inst. John Edelen, esq. a member of the house of delegates from Charles county—one of the most upright and estimable sons of Maryland—intelligent and honorable.

NAMES. Some Pennsylvanian at Washington, who, among other things, has complimented the people of his state because that a colored man, a native of Pennsylvania, has been appointed fire-walker and errand runner at one of the public offices in the metropolis, and signs himself "Tulpehocken, of Yellow Breeches," is a correspondent of the Philadelphia "Sentinel"—insists, "that Tulpehocken is as good a Pennsylvania cognomen as Rando ph is Virginian, and if my mansion happens to be on the Yellow Breeches, is not that as fair a stream as Rondo ph? whatever ours the "ancient dominion" may take about it."

"ECONOMY." There have been extensive dissections among the "Harmonists," at Economy, in Pennsylvania—and 217 persons, males and females, have signed and published a paper withdrawing all authority from the Messrs. Rapp, as to the management of their concerns, &c. Mr. Frederick Rapp replies, and states that of the signers 55 are minors, and 32 not regular members of the society—and that a large majority of the members are satisfied that they, [his father and himself] should continue as heretofore. The controversy has led to the

institution of legal proceedings—those who have withdrawn demanding their share of the property accumulated, and the whole facts will, in due time, be before the public. As the property of the society is exceedingly valuable, it is hardly to be expected that the suits will terminate speedily. There will be *causes* for the "law's delay," on one side or the other.

DELAWARE. The legislature of this state recently adjourned. Among the acts passed was one prohibiting the use of fire arms to free negroes and free mulattoes, regulating their meetings for public worship and for other purposes.

VIRGINIA.—The bill relative to the removal of the free colored population of that state was passed by a vote of 79 to 41. Its leading features, according to the Richmond Whig, are as follows:—

The bill excludes coercion, except as to those Free Negroes who remain in the state contrary to the law of 1806 (a numerous class). It makes an appropriation of \$35,000 for 1832—and of \$90,000 for 1833, for the transportation of Free Negroes willing to go, of the class above mentioned who are compelled to go, and of such as may be emancipated, the owners not providing the means—to some place beyond the limits of the U. States, left to the discretion of the Central Board. This board is to consist of the Governor, Treasurer, and Auditor, *ex officio*, who are clothed with the power of appointing agencies at Norfolk, Petersburg or other places.

ALABAMA. Among the acts passed at the late session of the legislature of this state was one relating to "century publications." It requests the governor to open a correspondence with the governors of those states in which such publications have been or may be issued, for the purpose of procuring their suppression, or at least of preventing their being sent into the slave-holding states. It further declares that the refusal of any state to make use of the means which it possesses, for the suppression of such publications, will be regarded by Alabama "as evincing of a spirit hostile to that friendship and good understanding which should characterize sister states, and as inimical to her peace and safety."

NEW ORLEANS. Bernard Marigny has been elected a member of the legislature of Louisiana, from this city, after an ardent contest, beating Samuel J. Peters 130 votes. Mr. M. is said to be a "Jackson man," and Mr. P. a friend of Mr. Clay—but the contest [much to be regretted] was more between the American and French population, than political parties; and the latter succeeded.

TEXAS. The introduction of slaves, by emigrants from the United States, in defiance of the laws of Mexico, seems to have excited the attention of the government—but the colonists, for the sake of their negroes, talk of resisting! We hope that the settlers will be compelled to obey the laws, or quit the country. The conditions on which they might occupy it were well known before they entered upon it—and, on every account, should be respected.

EUROPE. The leading powers seem to have one common fear of the effects of a general European war, and hence have resorted to all sorts of management to preserve an armed peace. Each seems jealous and fearful of the other—and no one has confidence in his neighbor, though much courtesy is extended in their relations one with another. A disarming has been repeatedly spoken of—but every thing remains on the war establishment. The latest accounts would show some gathering of the elements of discord. An armed interference in the questions depending between Holland and Belgium, would now probably lead to important events; and if Don Pedro shall get a footing in Portugal, and Don Ferdinand, of Spain, interfere, as it is probable that he will, in behalf of the dearly beloved Don Miguel, England will probably have something to say about the matter. So much, we think, may be assumed—that the affairs of Europe are very unsettled and interesting; and England and France are exceedingly

liable to internal commotions, at the present time. In the first, the poverty and wretchedness of the people seem nearly to have reached that point at which resistance must begin.

TUMULT IN THE FRENCH CHAMBERS. The late papers contain a report of some exceedingly violent proceedings in the French chamber of deputies. The minister of public instruction, having appeared at the tribune to defend a large vote of money for the civil list than had been proposed by the commission, and having uttered the sentiment in reply to a deputy,—"If you banish luxury from the palace of the king, it will soon be banished from the houses of its subjects," the deputies of the extremes of the chamber rose and rushed aloud—"Louis *Plût à son sujet*!" M. M. Caler, Clerc, Louville, Labrousse and others exclaimed, the king has not subjects. Order, order! let the minister be called to order! M. Marchal—Those who make kings, are no longer subjects, but citizens. During five minutes not a word was heard except personal and outrageous cries against the *justification*. The tumult and disorder continued during the remainder of the sitting. Although the president might be seen ringing with violence his great bell, yet it could not be heard. No one paid any attention to the president, and the most tumultuous and violent observations were made by all parties, one against the other, in various parts of the chamber. At half past six the sitting closed in the midst of noise, menace, and agitation.

This matter assumed so much importance that 164 members of the chamber have signed a formal protest against the use of the word "subjects," as applicable to the people of France; and even *Lafayette*, whose health had not permitted his attendance in the chamber, requested that his colleagues would receive his adhesion to their protest.

JAMAICA. We have awful details of the late proceedings of the slaves in this island. One hundred and fifty estates had been laid waste by fire—some of them the most extensive in the island—and the whole damage, from this cause, is put down at fifteen millions of dollars. More than two thousand slaves had been killed or executed—hung up by scores, and without much ceremony, or shot down at sight; and a great number had been flogged *a la militaire*. The number of white persons killed, is not stated. At one time it is said that thirty thousand negroes were embodied, some of them armed. They had been dispersed, but many were thought to have retired to the mountains. The governor issued a proclamation denouncing the punishment of death on all who did not surrender before the 10th of February, and orders were issued against the publication of the confessions of any of the "rebels, relative to the conspiracy." The "Maroons," appear to have rendered most important service to the white population, in this great emergency. We thought that all of this class of persons had been expelled—by one of the grossest violations of the faith of treaties which had marked modern times; and yet the remnant combats on the side of those who so much wronged their fathers and their country.

A Kingston paper of Jan. 27, our latest date, says—"It is evident that the neck of the rebellion is broken, but whether the measures which have been pursued will induce the rebels who have taken shelter in the mountains to return to duty or not, time only can show."

A letter from the head quarters of Major-General Hilton, dated Jan. 24, says—

"We are here in the midst of burnt estates, but you must not suppose that the whole country looks black and burnt. With the exception of the *works*, the whole country is green; few of the canes have been burnt, and those which have, still show green tops."

Martial law would be continued until late in the present month, February; for it is stated—"If measures at once decisive, and justice summary, as well as punishment severe, be not pursued, the country will be ruined long ere the last head of the hydra is cut off. If business be not done immediately, we shall be undone."

QUEER THINGS. The editor of the Danville, "Virginia" Reporter, calls the rejection of Mr. Van Buren,

"unprecedented and factious!" One similar case appeared in the administration of Mr. Jefferson, and a second in that of Mr. Madison, and perhaps there were others, and a "factious" proceeding was not then imputed. The senators thought, as they had a right to think, that the presidents had not selected proper men as ministers to foreign courts—as they think now.

At the late "Jackson Convention" held at Columbus, Ohio, a "whole" blockhead offered the following resolution—but somebody happened to recollect that the present president had, in his own person, established the precedent of the very proceeding which the principle of this resolution was wisely designed to condemn—and so it was not agreed to!

Resolved, That we consider a candidate for the presidency of the United States opposed to the incumbent of that station, disqualified for the proper discharge of the duty of a senator in congress, and incapable of performing justly the constitutional functions of an adviser and executive counsellor."

That convention, however, passed the following resolution—which *exactly* chimes with the one offered by Mr. Clay to the senate, and which has been so ably discussed by himself and others—

Resolved, That we approve of reducing the revenue of the general government to a conformity with our expenditures. *But by such an adjustment as will operate to the protection of our domestic industry.*"

A late number of the "Richmond Enquirer" contains a long essay signed, "A voice from the country." It speaks of "the prostration of the dignity and integrity of the senate of the United States, by the coalition of Clay, Calhoun, and Webster—who, with their united forces, have accomplished one of the darkest and foulest deeds that ever disgraced the annals of any country."

"That this triumvirate have leagued together to aim a blow at the president, will not be denied; and at the same time, to gratify their malignity and hatred towards a man—to borrow an expression from a great writer—the daily beauty of whose character makes them ugly—and whose magnanimous conduct forms a happy and striking contrast to those desperate ingurgers."

"The ground which this party in the senate took for rejecting Van Buren's nomination, is a deliberate insult to the people. An administration, of which, you might say Clay was at the head, had lost entirely the confidence of the people—and which had been dismissed from their service in consequence of the mismanagement of their affairs—that in order to secure, by negotiation with a foreign power, an important interest of the nation, Messrs. Clay and Webster should think that it was improper and highly dishonorable that any allusion in the instructions given to Mr. McLane, should be made to this defunct—this puritan and black-legged administration, so justly termed by Mr. Ranilolph—upon which the people had passed their verdict, and upon which they had stamped the seal of their eternal disgust and disapprobation."

"Let me now ask, my fellow-citizens, where were the senators from Virginia when this foul plot was hatching and brought to consummation in the senate? Her voice was dumb—silent as the grave. She should have been there, and heard in a voice of thunder! Her representatives should have proclaimed this dark deed, and held it up to the execration of the people. That the senate chamber should have been made the scene of such an infamous cabal—a place hitherto deemed sacred and inviolable from all political intrigue, is mortifying and disgraceful."

"Mr. Clay was aware of the keen and canine appetite with which Mr. Calhoun was prepared to devour his victim, and therefore insidiously contrived to place the banquet before him. With what eager delight he seized upon it, we have already seen."

There is a great deal more of such matter—but these brief extracts are sufficient.

The "official" of New York, the "Courier and Enquirer," whose senior editor holds a profitable office, speaks of the senate in the following terms.

"If combinations and coalitions, not to say CONSPIRACIES, in the senate, to abuse a high trust—shall be made manifest, the people in their sovereignty must interfere and amend the constitution for their own safety. The period is not, in our opinion, remote, when the constitution will undergo revision on the following points:—

"1st. An apportionment of senators according to population—their election by the people, and for a shorter period.

"2d. Limiting their powers to purposes wholly and exclusively legislative."

This is going the "entire swine."

Sometime ago—just before the rejection of Mr. Van Buren, the "Richmond Enquirer" said—

"We are not aware of there being a single man who is now importuning him to offer or accept [of the nomination for the vice presidency.] For ourselves, we firmly believe that his nomination is not the object of the Baltimore convention. We have disclaimed every such desire—and, if such were its object, we should be the first to desire no such convention to be called."

The "Albany Argus" has a foul quarrel with the "New York Courier & Enquirer." The editors have called one another almost every thing but honest men—though on some points they harmonize. The former quotes the latter, when speaking of the president, as follows:

"We know the general—his merits and well earned reputation. We love him for his kindness to ourselves—we honor him for the honor he has added to his country—we rejoice at his success, for it has been sought and obtained by enlarging the happiness and prosperity of the union—we will support him in the coming conflict, [remember the promise] for his purposes are pure, and his ambition the ambition of a patriot. It is not his fault, although it is a national misfortune, that traffickers in politics—political brokers—following in the wake of his popular career, and raising their voices in clamorous praise, are found scattered over this fair state, and reaping a golden harvest, while their profligacy is undiscovered amidst the triumphs of the democratic party. It is time that the people should awake from their lethargy. We loose nothing by unmasking and driving from our ranks those who proclaim themselves advocates of general Jackson, for the money which is to be made."

[The italics are given as we find them in the "Argus."] The "New Hampshire Patriot" thus speaks of the "Courier & Enquirer":

"There is scarcely a doubt remaining on our minds, that the New York Courier & Enquirer is owned, soul and body, by the United States Bank, and that before long it will be arrayed in open hostility to the administration and general Jackson, either by a nominal transfer to other proprietors, or by a bolt outright of its editors. Then there will be another great cry raised of 're-action.' Duff Green and Stephen Simpson, we fear, are not the only editors who have supported the cause of democracy from motives exclusively selfish."

The New Hampshire Patriot says that scarcely any less feeling is manifested among the democracy of that state, on the occasion of the rejection of Mr. Van Buren, "than was manifested on the rejection by the same senate of the honorable Isaac Hill."

The "Globe" publishes the following as a letter written in Prince William county, Va. After assailing the vice president for forgetting "what was due to the administration of Andrew Jackson," the writer says—"As to the Messrs. Miller, Chambers, Poindexter, Moore, Foot, Frelinghuysen, and all the GANG of legemen and deserters—they deserve pity or punishment, according to the strength of their capacity to understand right from wrong. No doubt many thought that whatever Mr. Clay and Mr. Calhoun done must be right—and they merit pity, while others, with understanding enough to know what was right, were worthless enough to do what was wrong, 'Verily, verily, they shall have their reward.'"

BRIEF NOTICES.

A panther, nine feet long, from the nose to the tail, was lately shot in the Alleghany mountains, near Schells-

burg, Somerset county, Pennsylvania. Animals of this kind were numerous in these mountains fifty years ago—but an "armed people" has rendered them scarce. The *Pyrennees* would soon be cleared of wolves, if such a population as we have inhabited the parts adjacent, for they have nearly cleared our own mountains, already.

The importance of the establishment of the American colony at Liberia appears to be justly appreciated by some of the British writers. The Westminster (London) Review says, in reference to it:—"The Americans are successfully planting free negroes on the coast of Africa; a greater event possibly, in its consequences, than any that has occurred since Columbus set sail for the new world."

The culture of the plant from which opium is derived has lately been introduced into Egypt, where it has perfectly succeeded. It has been productive the past year of a profit of more than three millions of francs. The Egyptian opium is now in greater demand than that from the Levant and Asia Minor.

We forgot to mention that *Anderson*, the English singer, was announced to perform at the Adelphi theatre, in Baltimore, on a certain night last week—a most humble apology having been made for him in the papers; but before he appeared on the stage, the house was attacked from without—the green room invaded, the windows broken, and a good deal of other damage done, and the design to introduce him abandoned. The man is made too important—but it now seems settled, that his "occupation is gone" in the United States.

The first volume of the new edition of Marshall's life of Washington—written over by the celebrated judge, its author,—has just been completed by the publisher at Philadelphia. The National Gazette states that the portrait of Washington, engraved for this work, by Mr. Longacre, is one of the finest specimens of American advancement in the art. In Europe, it would be deemed worthy of the reputation of any engraver of London or Paris.

Capt. Ross, who sailed from England three years ago to discover a North West passage, has not been heard of since. It is feared that the ship's company have perished.

The theatre at Providence, R. I. has been sold to be converted into a place of worship.

It is stated that a navigation round or through the famous raft in the Red river will soon be made, in pursuance of the act of congress appropriating money for the purpose; the work being much advanced under charge of lieutenant Sewall, of the engineers.

A large party of very respectable gentlemen, of New York, lately gave a public dinner to general Santander, late vice president of Colombia, in testimony of their respect for his public and private character.

A man of the name of Sovereign appears to have murdered his wife and six children, in London district, Upper Canada. The description is horrible. Sovereign has since confessed the fact, and starved himself to death!

The ship *Dee*, of Liverpool, having 300 casks of gunpowder on board, was struck with lightning and blown up. All the ship's company, 40 in number, were lost.

The brig *Java*, of Salem, from Batavia, was recently wrecked on our coast during a snow storm, and went to pieces. She had 600,000 lbs. of coffee, and 14,000 lbs. of nutmegs on board.

Professor Hare, of Philadelphia, was lately badly wounded by the explosion of a small bottle of fulminating silver, containing about two ounces. It was at first feared that his hand would have to be amputated—two persons, at the distance of ten feet were knocked down, and two other persons wounded.

TWENTY-SECOND CONGRESS—1st SESSION.

SENATE.

February 16. Mr. *Troup* presented the memorial of the corporation of Savannah, praying for the erection of barracks in that city.

Mr. *Foote* reported a bill relative to pensions—read and ordered to a second reading.

Mr. *Kane* moved a resolution inquiring into the propriety of making an appropriation for the improvement of the navigation of the Kaskaskia river in Illinois.

Mr. *Foote* submitted the following resolutions:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of regulating and fixing, by law, the compensation of the officers of the navy, with a view to regulate the compensation of the officers of the army and navy, agreeably to their relative rank in the service.

Resolved, That the committee on military affairs be instructed to inquire into the expediency of regulating and fixing, by law, the compensation of the army, with a view to equalize the compensation of officers of the navy and army in a peace establishment.

Mr. *Holmes'* resolutions calling on the secretary of the treasury for information as to the delay in the publication of the statements of our foreign commerce, and of his not having complied with the call of the senate for information with respect to the British colonial trade, were taken up.

Mr. *Forsyth* opposed the resolutions, and Mr. *Webster* and Mr. *Holmes* replied to him.

Mr. *Forsyth* moved to lay the first resolution on the table, which motion was decided in the negative, as follows:

YEAS—Messrs. Benton, Buckner, Dallas, Dickerson, Dudley, Ellis, Forsyth, Grundy, Hill, Kane, King, Mangum, Marcy, Poindexter, Robinson, Smith, Troup, White, and Wilkins—19.
NAYS—Messrs. Bell, Chambers, Ewing, Foot, Frelinghuysen, Hendricks, Holmes, Miller, Moore, Prentiss, Robbins, Ruggles, Seymour, Silbee, Sprague, Tazewell, Tomlinson, Waggoner, and Webster—19.

The yeas and nays being equally divided, the chair decided the question in the negative.

The question was then taken on laying the second resolution on the table, and it was decided in the affirmative by the following vote:

YEAS—Messrs. Benton, Buckner, Chambers, Dallas, Dickerson, Dudley, Ellis, Ewing, Foot, Forsyth, Frelinghuysen, Grundy, Hendricks, Hill, Kane, King, Mangum, Marcy, Miller, Moore, Poindexter, Prentiss, Robbins, Robinson, Silbee, Smith, Tipton, Tomlinson, Troup, Webster, White, and Wilkins—32.
NAYS—Messrs. Bell, Holmes, Ruggles, Seymour, and Tazewell—3.

After some further debate, by Messrs. *Tazewell*, *Chambers*, *Webster* and *Holmes* in favor of the first resolution, and Mr. *Forsyth*, in opposition, the first resolution was adopted.

Mr. *Clay's* resolution relative to the tariff was then taken up, when Mr. *Grundy*, in a speech of two hours, concluded his remarks in opposition to the resolution.

Mr. *Ewing* having expressed a desire of addressing the senate, on to-morrow, on the subject, moved an adjournment. The senate then adjourned.

February 17. Mr. *White*, presented the petition of a number of the citizens of Jefferson county, Tennessee, in favor of re-chartering the bank of the U. States.

The resolutions submitted by Mr. *Foote*, yesterday, relative to the pay of the officers of the army and navy, were amended by adding the marine corps, and then adopted.

The apportionment bill from the house of representatives was then taken up, and read the second time, and referred, at the instance of Mr. *Webster*, to a select committee.

Mr. *Clay's* resolution relative to the tariff was then taken up, when

Mr. *Ewing* addressed the senate two hours in favor of it, without concluding, when the senate adjourned to Monday.

February 20. Mr. *Silbee* presented the petitions of the banks of Newburyport, Massachusetts, praying that the charter of the bank of the United States may be renewed. Referred.

Mr. *Moore* presented a similar memorial from the bank of Alabama. Referred.

On motion of Mr. *Ellis*, the senate proceeded to the consideration of executive business; and when, after the lapse of an hour, the doors were opened,

The special order of the day, Mr. *Clay's* resolution, relative to the tariff, together with Mr. *Hayne's* amendment, was taken up; and Mr. *Ewing* resumed and concluded his speech in favor of the resolution.

Mr. *Miller* expressed a desire to address the senate on the subject to-morrow.

The appropriation bill for fortifications was taken up, read twice, and referred to the committee on finance.

The bill making appropriations for revolutionary and other pensioners for the year 1832; and the bill making appropriations for the naval service for 1832, were re-

specitively taken up, read twice, and referred to the same committee.

Also, the bill from the house, for the payment of arrears of the naval service charged on the contingent fund, prior to January, 1832.

The *vice president* communicated a letter from the secretary of the treasury, in reply to Mr. Holmes' resolution, calling for the reasons of the delay in the transmission of the annual commercial statements. [The secretary recommends that collectors, hereafter, be directed, under proper penalties, to make their returns monthly instead of quarterly.]

The bill for the adjustment of the claims of South Carolina, was twice read and referred.

The senate then adjourned.

February 21. The *vice president* presented the memorial of Joseph Nourse, late register of the treasury, praying that his claim against the United States, ascertained by judicial decision, may be paid. Referred.

Mr. Miller presented the memorial of the citizens of Camden, S. Carolina, praying for an examination into the causes of the failure of the road between that place and the city of Washington, and also for the reduction of the postage on letters. Referred.

Mr. Bell, of N. H. and Mr. Ewing, of Ohio, presented sundry memorials from the banks in their respective states, praying for the renewal of the charter of the Bank of the United States.

Mr. Webster, from the select committee, reported the bill for the apportionment of representatives, without amendment.

Mr. Smith, from the committee of finance, reported the several appropriation bills referred to that committee yesterday, without amendments, which were severally read, passed and returned to the other house.

The *vice president* communicated a report from the secretary of war, shewing the number of licenses granted to trade with the Indians.

The senate resumed the consideration of Mr. Clay's resolution relative to the tariff, &c.

Mr. Miller, of S. C. spoke two hours in support of Mr. Hayne's amendment; when he gave way for a motion to adjourn. The senate adjourned.

February 23. Several memorials were presented from the states of N. Hampshire, Ohio, and Kentucky, favorable to the bank of the United States.

The bill for the adjustment of the claims of South Carolina, was reported without amendment.

Mr. Benton reported a bill to repeal so much of the laws relative to brevet rank, as authorize the president to confer that rank on officers who may have served ten years.

Mr. Holmes submitted a resolution inquiring into the propriety of providing by law for a more permanent tenure of office for judges of territories or for a different mode of appointment.

Several bills for the relief of private individuals were passed.

Mr. Miller concluded his speech on Mr. Clay's resolution—and was followed by Mr. Dallas—when the senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Feb. 17. Mr. Irwin reported a bill to aid in the education of deaf and dumb persons.

Several bills and reports on private claims were received and reading is deferred.

Mr. Branch reported a bill for the regulation of the navy and its fleet, and navy hospital funds—twice read and committed.

Mr. Archer reported a resolution for the reference, to the committee on foreign affairs, of that part of the president's message to the last congress relative to the contingent expenses of foreign intercourse.

Mr. Blair reported a bill to construct a road from Portsmouth, Ohio, to a point south of the Linden mountains in North Carolina—referred to the committee of the whole.

Mr. Jarvis reported a bill making appropriations for the public buildings.

The resolution moved some days since relative to the painting of a full length likeness of Washington was taken up, and, after an animated debate, adopted.

The house then proceeded to the orders of the day, and took up the engrossed appropriation bills.

That for the naval service having been read a third time, and the question being on its passage,

Mr. Pearce, of Rhode Island, moved its re-commitment, with instructions to strike out the appropriation of seventy-two thousand dollars for the navy yard at Brooklyn. He supported his motion in a speech of length and animation. Mr. McDuffie opposed his motion as did Messrs. Virpawick, Cumberleng, White and Hoffman. Mr. Binger supported it in a speech of much power. The bill was finally passed.

The bill for arrangements in the naval service, and the bill for fortifications, were then severally taken up and passed. The house then adjourned.

Saturday, Feb. 18. Mr. Drayton reported a bill for the relief of certain officers whose property was destroyed at Fort Delaware—twice read and committed.

Mr. Hathough moved a resolution inquiring into the propriety of making an appropriation for the construction of piers in the Delaware river, at the mouth of the Chesapeake and Delaware canal.

The house proceeded to the consideration of the following resolutions, reported by Mr. Jarvis, from the committee on the public buildings, on the 14th inst.

Resolved, That the president of the United States be authorized to employ Horatio Greenough, of Massachusetts, to execute in marble a full length pedestrian statue of Washington, to be placed in the centre of the Rotunda of the capitol; the head to be a copy of Hamilton's Washington, (in the capitol at Richmond) and the accessories to be left to the judgment of the artist.

After a desultory debate, the resolution was adopted by a vote of ayes 114, nays 50.

The house then took up the bill for the relief of Susan Deatur—A debate ensued, but before any decision was had, the house adjourned.

Monday, Feb. 20. Mr. McKay, of N. C. appeared, was qualified and took his seat.

Several memorials from different parts of the union favorable to the renewal of the charter of the Bank of the United States, were presented and referred.

Mr. Drayton, from the committee on military affairs, reported the bill to authorize the secretary of war to relinquish the title of the United States to the site of Fort Gansevoort, in the harbor of New York, which bill was read a first and second time, and committed.

Mr. Cumberleng made the following report:

"The committee of commerce, to whom was referred the petition of Moses Smith, has examined his improvement for adjusting the polarity of the needle in the mariner's compass. Though simple in its character, they have no doubt of its great utility to mariners, and that the discovery is worthy the patronage of the navy department."

The report was read and concurred in.

Mr. Thomas, of Louisiana, in fulfillment of one of the items contained in the report of the joint committee, appointed to make arrangements for the celebration of the centennial birth-day of George Washington, moved the following resolution:

Resolved, by the senate and house of representatives, That in respect to the centennial birth-day of George Washington, the two houses will adjourn from the 21st to the 23d of the present month; and that the presiding officers of the two houses be respectfully authorized to adjourn them accordingly. Agreed to.

Mr. Howard's motion for a reconsideration of the vote ordering the printing of certain documents on the subjects of canals and rail roads, came up for consideration; and, on motion of Mr. Mercer, was so amended as to include the printing of that part of a document, shewing the relative utility and cost of rail roads and canals, and cert- in other parts of said document, to be selected by the committee on roads and canals. The resolution, as amended, passed.

The bill, in addition to the act granting relief to certain insolvent debtors of the United States, came up for consideration, and, after discussion, was postponed until to-morrow. The house adjourned.

Tuesday, Feb. 21. Mr. Bion reported a bill to graduate the price of public lands—twice read and committed.

Mr. Irwin presented the memorial of the inhabitants of Zanesville, Ohio, in favor of the renewal of the charter of the bank of the United States—referred.

Mr. Wickhiffe reported a bill making provision for the sale of the public grounds in the cities of Pensacola and St. Augustine, and to reserve certain lots and buildings for public purposes.

The speaker presented a communication from Michael Nourse, praying a subscription on the part of congress to a fac simile edition of the accounts of general Washington during the revolutionary war. [General Washington received no compensation for his services other than his actual expenses—and these accounts, it appears, were kept in his own hand writing.]

Mr. E. Everett's resolution relative to the Chickasaw treaty came up for consideration, and was amended so as to read as follows:

Resolved, That the committee on the public lands be instructed to inquire to whom, and on what conditions, the tract of land reserved by the 4th article of the treaty with the Chickasaw tribe of Indians of October 19, 1818, was leased: Whether the said tract has reverted to the United States on the failure of the conditions, or the expiration: Whether any change has been made, or attempted to be made, in the lease aforesaid, inconsistent with the conditions and object of the reservation; and, if so, when, by whom, in whose favor, and to what effect, and change was made, or attempted to be made: By whom the tract aforesaid is now occupied, possessed, or claimed: What was its reputed value in 1818, and what it is now, as far as the same can be ascertained; with power to send for persons and papers, and with leave to report what measures, (if any) it is proper for this house to adopt in the premises.

A great deal of desultory discussion followed, and many questions were started and decided—one between the speaker and Mr. Wickhiffe, on a point of order, in which the former gave way. The previous question was called for and not sustained, and motions to postpone, &c. lost. At last, the previous question was again moved and carried—and the yeas and nays on the resolution being ordered, they stood thus—

YEAS—Messrs. Adams, C. Allan, Allison, Appleton, Archer, Armstrong, Babcock, Banks, Noyes Barber, John S. Barbour, Barnwell, Bartow, Isaac C. Bates, Branch, Briggs, Bucher, Buird, Burger, Caboon, Chandler, Choate, Claiborne, Collier, Silas Condit, Bates Cooke, Crane, Crigton, Daniel, Davenport, John Davis, Dearborn, Denny, Dewar, Dickson, Doddridge, Drayton, Duncan, Ellsworth, G. C. Evans, J. Evans, Edw. Everett, Fidler, Fitzgerald, Ford, Grennell, Griffin, Heister, Hodges, Howard, Hughes, Hunt, Huntington, Thrie, Irvin, Jarvis, Jenifer, Cave Johnson, Kendall, Kennon, Adam King, Letcher, Marshall, Maxwell, McDuffie, McKay, McKennan, Milligan, Newton, Pierce, Pendleton, Pitcher, Potts, Randolph, Root, Russell, Wm. B. Shepard, Smith, Southard, Stanbury, Storrs, Taylor, Francis Thomas, Lumpkin, Tracy, Vanter, Verplanck, Washington, Wilkin, Wheeler, Elisha Whiteley, Eder, D. White, Wickhiffe, Wilder, Williams, Young—92.

NAYS—Messrs. Adair, Alexander, Anderson, Aug. C. Barringer, Beardsley, B. H. Bergen, B. Thome, James Blair, John Blair, Boneck, Bouldin, John Brodhead, John C. Brodhead, Cambrough, Carr, Carson, Chalm, Clay, Clayton, Connor, Craig, Crawford, Dayan, Doubleday, Foster, Gaither, Gilmore, Gordon, Thomas H. Hall, William Hall, Hanes, Hawkins, Hogan, Holland, Hubbard, Jewett, R. M. Johnson, Kavanaugh, John King, Henry King, Lamar, Lansing, Leavitt, Leconte, Leitch, Lewis, Lyon, Mann, Mardo, Mason, McCarty, McCoy, McIntire, Thomas H. Mitchell, Muhlenberg, Newman, Nuckolls, Pierson, Polk, Edward C. Reed, Rencher, Roane, Aug. H. Shepherd, Speight, Standtler, Stephens, Philmore Thomas, Wiley Thompson, John Thompson, Ward, Wardwell, Wayne, Weeks, Camp, P. White, Worthington,—77.

So the house agreed to the resolution, and the inquiry was referred to the committee on the public lands, with power to send for persons and papers.

The house then adjourned.

Thursday, Feb. 23. Mr. Branch moved certain resolutions calling upon the war department for information relative to the live oak lands belonging to the United States in Florida.

Mr. Clayton offered, by leave, the following resolution:

Resolved, That a select committee be appointed to examine into the affairs of the bank of the U. States, with power to send for persons and papers, and to report the result of their enquiries to this house.

Mr. H. King submitted a resolution inquiring into the mode of appointing lieutenants of the navy to vessels of war, &c.

The bill defining the qualifications of voters in the territory of Arkansas, was read a third time and passed.

The speaker laid before the house communications from the war department, showing the claims of Connecticut for military services; the number of licenses granted to trade with the Indians, and two other reports on the claims of certain individuals.

The bill granting patents to certain aliens, was read a second time, and ordered to be engrossed for a third reading to-morrow.

The house then took up the appropriation bills for the support of government, and amended the same, and then adjourned.

FINE WOOLLED SHEEP.

Mr. Niles.—When the wool-growing branch of American industry has become of such great importance to several sections of the union—and when every experiment which has been judiciously made, demonstrates that it would prove equally so to the central and westerly parts of the middle states, and to Ohio, Indiana and Illinois, owing to the small expense of transporting wool compared with the value of the article; which remarks, I think, will equally apply to the westerly parts of Virginia and North Carolina, and the easterly parts of Kentucky and Tennessee—duty compels me to reply to Mr. Tallmadge's letter which appeared in No. 1160 of your very useful and ably conducted Register, lest his observations may prove detrimental to the extension of the breed of that useful animal. I have been an attentive breeder of Merino sheep for twenty-two years, and six years of Saxony—and my own experience, as well as that of my neighbors, has proved, that the Spanish merino has a more vigorous constitution, is a harder animal, and much less liable to diseases, than is the Saxony. As the first fine woolled sheep were introduced into Saxony from Spain in 1765, this assertion may appear somewhat extraordinary, but Mr. Tallmadge admits the fact; although, so far as my observation extends, the cause he assigns for it is not supported by experience. In 1826, a greater number of Saxony sheep were imported than I believe were before, or have been since, all put together. Two cargoes were sold at Brighton, in May of that year, containing nearly 500, which I closely examined, and think there were not twenty among them of any one flock; which was readily determined by the ear marks. I purchased fifty-four—four of which only were from the same flock. I put 8 bucks out of those to 300 merino ewes; and the progeny was more feeble than I had ever witnessed from merino bucks. I did not raise more than 3 lambs from 5 ewes, for two successive years, and, in putting full blooded Saxony bucks to the ewes thus crossed, I have not raised more than two lambs to five ewes. I have been still more unsuccessful in raising lambs from the full blood Saxony ewes and bucks, although they have been rather better kept than my other sheep. From my full blooded merino stock my increase was commonly 9 lambs to 10 ewes, and never less than 4 lambs to 5 ewes; and those merino bucks had always been selected for fineness and weight of fleece and shape, from my own flock. A more distant cross could not have been made than between the Saxony and merino—and yet the same ewes which commonly raised nine lambs from ten ewes, and I believe never less than four lambs from five ewes when put to merino bucks of the same stock, only raised three lambs from five ewes when crossed with the imported Saxons. Hence it is evident that the lesser increase, on the part of the Saxony breed, must be attributable to some other cause than breeding "in and in." The form of the sheep alone will satisfy an experienced agriculturist of the true cause. They are long legged, thin quartered, flat sided, narrow loined, not sufficiently deep chested, and long necked. All domestic animals of this shape have feeble constitutions. But it may be asked, how does it happen that those sheep which are descended from the Spanish, are so inferior in form to them? The most probable solution of the question is, that the persons who were sent by the elector of Saxony into Spain to select, were not aware of a fact known to every attentive breeder, that individuals of the same flock which have the most feeble constitutions generally, have the finest and lightest fleeces; and as fineness was their principal object, they selected the finest woolled sheep, without any reference to form of carcass or weight of fleece. In this they have succeeded—for the Saxony wool is certainly finer than the Spanish; but the latter will, sheep for sheep, at least, yield one third more in weight of wool, and it possesses the felting or tulling property in as high a degree.

A WOOL GROWER.

FRAUDS ON THE REVENUE.

U. States' district court, N. York. Before judge Betts.
The United States vs. six cases woollen cloths, Nos. 179 to 184, marked F. Joseph Roberts, claimant. This was an action brought to establish the forfeiture of the cloths, on the ground that they were invoiced below their real value with the intention of defrauding the United States' revenue.

On behalf of the United States, it was shown that the goods were brought to this port from Liverpool in the ship Napoleon last February. The goods were invoiced at various prices, from 5s. 9d. to 6s. 8d. per yard. The custom house appraisers valued them at 22 1-5 per cent. above that rate—an amount which brought them within the \$2 50 minimum. Subsequently the goods were appraised by two merchants, chosen in the manner directed by law, and they also estimated their value far above the invoice, but yet exempting one piece of cloth from the \$2 50 tariff. According to the invoice the duty would amount to \$858 15 cents, while, according to the valuation laid by the merchants who made the second appraisement, the duty amounted to \$2,148 90, making a difference to the revenue of \$1,290 75.

Mr. Erastus Ellsworth, one of the gentlemen who made the second appraisement, testified that cloth costing in England about 6s. 8d. is worth in this market about \$2 75, and several witnesses testified that they saw the goods in question at Mr. Hone's auction room, where they were sent by the marshal for sale; and they believed the cloths worth from \$3 25 to \$4 25 per yard. The bond which the claimant filed in court, binding himself, in the event of condemnation, to pay a sum above the amount of the appraisement with the duties, was also read in evidence.

The claimant did not give in any testimony.

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From the Baltimore Republican.

At the late December session of the district court of the United States for the district of Maryland, before his honor judge Glenn, came on trial, on an information—

United States vs. Seven bales of merchandise.
Jabez Stead, claimant.

This was an invoice of merchandise, shipped on British account to the port of Baltimore, in the autumn of 1830. The appraisers reported to the collector, that three of the bales were overvalued, and four of them undervalued. The whole invoice amounted to 1,146l. 15s. 3d. sterling. Being seized and informed against, an application was made to the court to have them delivered on stipulation, and a commission to England to take testimony was taken out, on behalf of the claimant. The court appointed three experienced and judicious merchants to appraise the goods; whose return valued three of the bales lower, and four higher, than the invoice, making the whole valuation 1,094l. 6s. 10d. sterling, being 52l. 8s. 5d. less than the exporter's invoice. But estimating the value by the original invoice, they amounted to \$2,400 or thereabouts; and estimating them at the valuation of the court's appraisers, the duties came to \$1,101 more, notwithstanding the whole valuation was less than the invoice. The overvaluation had no effect to increase the duties on the three bales.

The goods, not having been taken on stipulation, were sold, by agreement, at auction—and the gross sales of the three bales, overvalued, amounted to \$5,058 72, and the gross sales of the four bales, undervalued, amounted to \$5,216 05 producing a loss on the three first, which were overvalued, and a great profit on the four last, having reference to the invoice. The overvaluation was intended, probably, in part to make the whole invoice bear a fair proportion to the actual value of the goods; but, chiefly, to procure a larger advance, from the consignees. The jury, without leaving the box, returned a verdict of condemnation against the four bales undervalued.

BANK OF THE UNITED STATES.

We find the subjoined letter in the New York Courier and Enquirer on Friday last. It was written many months ago, and intended to remain, as it is marked, private; a copy of it was sent to Washington not long since, and probably obtained there for publication at New York. It serves to refute the charge which has

been preferred against the president and directors of the Bank of the United States of interfering in party politics; and to exemplify the plan of total abstinence, which has been pursued by that institution.

[Nat. Gaz.

(PRIVATE)

Bank of the United States, Sept. 27, 1830.

Dear sir: I have recently received a pamphlet entitled "Proceedings and the Resolutions and Address adopted by the State Rights party at Charleston," which contains the following passages: "We had arrayed against us the influence of the president of the bank of the state of South Carolina, emphatically your bank, who was among the most zealous in his efforts against us, and among the most industrious in his cry of civil war, blood, and revolution. The president of the bank of the United States was not less active, and the head which presides over this great financial institution was seen superintending with an anxious scrutiny the polls at the election." And again: "But, if Charleston be fated to be governed by northern traders, officers of the federal judiciary, custom officers and officers of the United States' bank, we know," &c. And further: "All the power of the custom house, and of the bank of the United States, all the power of the federal judiciary, and even to a certain extent, of the bank of our own state, may be arrayed against us."

However unwilling to interpret very literally, expressions provoked by the ardor of political controversy, there is yet in these extracts a direct assertion of facts, which, unless the highly respectable gentlemen who make it are entirely misinformed, is calculated to excite extreme regret. In the administration of the bank of the United States, no principle is more fundamental than its total abstinence from politics. Its uniform object has been to devote itself exclusively to its own concerns, leaving public affairs to the public councils; to belong to the country, not to any section of it; to be true to every administration of the government, yet subservient to none; and, while composed of fellow-citizens of all parties, to be wholly unconnected with any. You know that during the many years in which I have enjoyed the pleasure of your correspondence, I have never made a single inquiry into the political opinions of any individual attached to the branch. I am at this moment equally ignorant and indifferent, and my only anxiety is, that they should so exercise their own rights as not to violate those of the institution. Undoubtedly, the officers of the bank are still citizens, retaining all their privileges of free thought and free action, but would the directors presume to control the political opinions of the humblest individual in their service. Yet it is not an unreasonable expectation that they who voluntarily engage in the employment of the institution should conform to its essential policy, and cautiously abstain from any conduct which may bring upon it undesired odium. Now, there is nothing more adapted to offend and estrange the community than an active and ostensible participation in popular elections by the officers of the bank. Whether they are in the right or in the wrong, whether the occasion be great or small, whether they succeed or fail, are matters of not the slightest consequence. All parties think themselves always right. To all parties all contests seem important; and all, if they do not succeed, are sure they ought to succeed; so that, whether victorious or defeated, each party retains a feeling against its prominent adversaries, which it inevitably transfers to the institutions identified with them.

The board of directors are therefore extremely unwilling that the officers of the bank should be zealous or conspicuous at elections, and the reproach thus publicly vouchsafed is of a character to excite great sensibility. That feeling I trust you will be able to remove or allay, so as to relieve the institution from the imputation of political interference, and I therefore take the earliest opportunity of inviting you to furnish me with the means of placing the subject before the board in a satisfactory light. This will be very acceptable to them, and particularly gratifying to yours, with great respect,

N. BIDDLE, president.

JOSEPH JOHNSTON, esq.

President of the office of the bank of the United States, Charleston, South Carolina.

A PROCLAMATION

By the president of the United States.

Whereas a treaty of commerce and navigation between the United States of America and the Ottoman porte, was concluded and signed at Constantinople by the respective plenipotentiaries of the two powers, on the seventh day of May, in the year of our Lord one thousand eight hundred and thirty, and the said treaty was duly ratified, by the president, on the part of the said United States, on the second day of February, in the year of our Lord one thousand eight hundred and thirty-one, in pursuance of the advice and consent of the senate, as signified by their resolution of the first day of that month; and whereas the ratification by the president, of the said treaty in the Turkish language, and in a translation thereof into the English, annexed thereto, was exchanged at Constantinople, on the fifth day of October, 1831, by David Porter, the charge d'affaires of the United States near the sublime porte, and Nedjib Effendi, Reis Effendi of the porte, for the ratification of the sultan: which convention, as ratified by the president, in the English version, is, word for word, as follows:

The object of this firm instrument, and the motive of this writing well drawn up, is, that—

No treaty or diplomatic and official convention, having heretofore existed, between the sublime porte, of perpetual duration, and the United States of America; at this time, in consideration of the desire formerly expressed, and of repeated propositions which have lately been renewed by that power, and in consequence of the wish entertained by the sublime porte to testify to the United States of America, its sentiments of friendship. We, the undersigned, commissioners, invested with the high office of chief of the chancery of state of the sublime porte, existing forever, having been permitted by his very noble imperial majesty to negotiate and conclude a treaty, and having thereupon conferred with our friend, the honorable Charles Rhind, who has come to this imperial residence, furnished with full powers to negotiate, settle and conclude, the articles of a treaty, separately and jointly with the other two commissioners, commodore Biddle and David Offley, now at Smyrna, have arranged, agreed upon and concluded, the following articles:

ARTICLE I.—Merchants of the sublime porte, whether Mussulmans or Rayahs, going and coming, in the countries, provinces and ports, of the United States of America, or proceeding from one port to another, or from the ports of the United States to those of other countries, shall pay the same duties and other imposts that are paid by the most favored nations, and they shall not be vexed by the exaction of higher duties; and in travelling by sea and by land, all the privileges and distinctions observed towards the subjects of other powers, shall serve as a rule, and shall be observed towards the merchants and subjects of the sublime porte. In like manner, American merchants who shall come to the well defended countries and ports of the sublime porte, shall pay the same duties and other imposts, that are paid by merchants of the most favored friendly powers, and they shall not, in any way, be vexed or molested. On both sides, travelling passports shall be granted.

ART. II.—The sublime porte may establish shish-bendars (consuls) in the United States of America; and the United States may appoint their citizens to be consuls or vice consuls, at the commercial places in the dominions of the sublime porte, where it shall be found needful to superintend the affairs of commerce. These consuls or vice consuls shall be furnished with berats or firmans; they shall enjoy suitable distinctions, and shall have necessary aid and protection.

ART. III.—American merchants established in the well defended states of the sublime porte for purposes of commerce, shall have liberty to employ carriers (brokers) of any nation or religion, in like manner as merchants of other friendly powers; and they shall not be disturbed in their affairs, nor shall they be treated, in any way, contrary to established usage. American vessels arriving at, or departing from, the ports of the Ottoman empire, shall not be subjected to greater visit, by the officers of the custom house and the chancery of the port, than vessels of the most favored nation.

ART. IV. If litigations and disputes should arise between subjects of the sublime porte and citizens of the

United States, the parties shall not be heard, nor shall judgment be pronounced, unless the American dragoman be present. Causes in which the sum may exceed five hundred piastres, shall be submitted to the sublime porte, to be decided according to the law of equity and justice. Citizens of the United States of America, quietly pursuing their commerce, and not being charged or convicted of any crime or offence, shall not be molested; and even when they may have committed some offence they shall not be arrested and put in prison, by the local authorities, but they shall be tried by their minister or consul, and punished according to their offence, following, in this respect, the usage observed towards other Franks.

ART. V. American merchant vessels that traile to the dominions of the sublime porte, may go and come in perfect safety with their own flag; but they shall not take the flag of any other power, nor shall they grant their flag to the vessels of other nations and powers, nor the vessels of rayahs. The minister, consuls, and vice consuls of the United States, shall not protect, secretly or publicly, the rayahs of the sublime porte, and they shall never suffer a departure from the principles here laid down and agreed to by mutual consent.

ART. VI. Vessels of war of the two contracting parties, shall observe towards each other, demonstrations of friendship and good intelligence, according to naval usage; and towards merchant vessels they shall exhibit the same kind and courteous manner.

ART. VII. Merchant vessels of the United States, in like manner as vessels of the most favored nations, shall have liberty to pass the canal of the imperial residence, and go and come in the Black Sea, either laden or in ballast, and they must be laden with the produce manufactures and effects, of the Ottoman Empire, excepting such as are prohibited, as well as of their own country.

ART. VIII. Merchant vessels of the two contracting parties shall not be forcibly taken, for the shipment of troops, munitions and other objects of war, if the captains or proprietors of the vessels, shall be unwilling to freight them.

ART. IX. If any merchant vessel of either of the contracting parties should be wrecked, assistance and protection shall be afforded to those of the crew that may be saved; and the merchandise and effects, which it may be possible to save and recover, shall be conveyed to the consul nearest to the place of the wreck, to be, by him, delivered to the proprietors.

CONCLUSION. The foregoing articles, agreed upon and concluded, between the rasset (chancery of state) and the above mentioned commissioner of the United States, when signed by the other two commissioners, shall be exchanged. In ten months from the date of this *temenueck*, or instrument of treaty, the exchange of the ratifications of the two powers shall be made; and the articles of this treaty shall have full force, and be strictly observed by the two contracting powers.

Given the fourteenth day of the moon Zileasde, and in the year of the Hegra, 1245, corresponding with the seventh day of May, of the year one thousand eight hundred and thirty of the Christian Era.

(Signed) MAHAMMED HAMED,
Rais-ul-kutub, —(vice effendi.)

NOW, THEREFORE, to the end that the said treaty may be observed, and performed with good faith on the part of the U. States, I have caused the premises to be made public, and I do hereby enjoin all persons bearing office, civil or military, within the United States, and all others, citizens or inhabitants thereof, or being within the same, faithfully to observe and fulfil the said treaty, and every clause and article thereof.

In testimony whereof, I have caused the seal of [U. S.] the United States to be hereto affixed, and have signed the same with my hand.

Done at Washington, this fourth day of January, in the year of our Lord one thousand eight hundred and thirty-two, and of the independence of the United States the fifty-sixth.

ANDREW JACKSON.

By the president,
EDW. LIVINGSTON, secretary of state.

THE CHOCTAW'S FAREWELL.

In our paper to-day will be found an address to the American people, by George W. Harkins, the present chief of the Choctaw nation. Capt. Harkins, is the nephew, and successor in office of Greenwood Lathrop, and is now on his way with a large body of people, to their new residence in the west. The address was hastily written with a pencil, on board of the steam boat Hiram, the day before his arrival at our landing. The time was so short as to afford Capt. Harkins no opportunity to send us a revised sheet.

To the speculators and land jobbers, whose grasping avarice force this people from their homes and the graves of their forefathers, the language of this address will be unintelligible; but there are others, who, we presume, are not entirely devoid of shame, and to whom some allusion is made, who will feel the full force of its mild, but pointed rebuke. [Sketches.]

TO THE AMERICAN PEOPLE.

It is with considerable diffidence that I attempt to address the American people knowing and feeling sensibly my incapacity; and believing that your loyalty and well informed sense could not be well entertained by the address of a Choctaw. But having determined to emigrate west of the Mississippi river this fall, I have thought proper in bidding you farewell to make a few remarks expressive of my views, and the feelings that animate me on the subject of our removal. Believing that our ill at stake and knowing that you are fully sympathetic with the distressed of every country. I confidently throw myself upon your indulgence and ask you to listen patiently. I do not arrogate to myself the prerogative of deciding upon the expediency of removal, yet I feel bound as a Choctaw to give a distinct expression of my feelings on that interesting, (and to the Choctaw) an important subject. We were lodged in by two evils, and we clear that which we thought the least. Yet we could not recognize the right that the State of Mississippi had assumed, to legislate for us. Although the Legislature of the State were qualified to make laws for their own citizens, that did not qualify them to become masters to a people so dissimilar in manners and customs as the Choctaws are to the Mississippians. Admitting that they understood the people, could they remove that mountain of prejudice that has ever obstructed the streams of justice, and prevented their salutary influence from reaching our devoted countrymen. We as Choctaws rather chose to suffer and be free, than live under the degrading influence of laws, when our voice could not be heard in their formation.

Much as the State of Mississippi has wronged us, I cannot find in my heart any other sentiment than an ardent wish for her prosperity and happiness.

I could cheerfully hope, that those of another age and generation may not feel the effects of those oppressive measures that have been so liberally dealt out to us; and that peace and happiness may be their reward. Amid the gloom and horrors of the present separation, we are cheered with a hope that ere long we shall reach our destined home, and that nothing short of the basest acts of treachery will ever be able to wreathe it from us, and that we may live free. Although your ancestors went treacherous on the field of danger and glory, our ancestors owned it as their birth-right, and we have had to purchase it from you as the vilest slaves buy their freedom.

Yet it is said that our present movements are our own voluntary acts—such is not the case. We found ourselves like a frightened stranger, following false guides, until we were surrounded on every side, with fire or water. The fire was certain destruction, and a ferocious foe was left him of escaping by water. A distant view of the opposite shore encourages the hope; to remain would be inevitable annihilation. Who would hesitate, or who would say that his plunging into the water was his own voluntary act? Painful in the extreme is the mandate of our expulsion. We regret that it should proceed from the mouth of our professed friend, and for whom our blood was co-mingled with that of his bravest warriors, on the field of danger and death.

But such is the instability of professions. The man who said that he would plant a stake and draw a line around us, that never should be passed, was the first to say he could not guard the line, and drew the stake and wiped out all traces of the line. I need not dwell from you my fears, that the present grounds may be purchased—I have my forebodings—who of us can tell after what manner war has already been done, what the next force may be, or the name of justice, or of peace, or of truth, for myself and for my injured people. Let us alone—we will not harm you, we want rest. We hope, in the name of justice that another outrage may never be committed against us, and that we may for the future be cared for as children, and not driven about as beasts, which are benefited by a change of pasture.

Taking an example from the American government, and knowing the happiness which its citizens enjoy under the influence of mild republican institutions, it is the intention of our countrymen to form a government assimilated to that of our white brethren in the United States, as nearly as their condition will permit. We know that in order to protect the rights and secure the liberties of the people, no government approximates so nearly to perfection as the one to which we have alluded. As east of the Mississippi we have been friends, so west we will cherish the same feelings with additional fervor; and although we may be removed to the desert, still we shall look with fond regard upon those who have promised us their protection. Let that feeling be reciprocated.

Friends, my attachment to my native land was strong—that cord is now broken; and we must go forth as wanderers in a strange land. I must go—Let me irritate you to regard us with feelings of kindness, and when the hand of oppression is stretched against us, let me hope that a warning voice may be heard from every part of the U. States, filling the mountains and valleys with echo, and say thus, you have no power, we are the over-ign people, and our red friends shall no more be your bad.

We ask you for nothing that is incompatible with your other duties.

We go forth sorrowful, knowing that wrong has been done. Will you extend to us your sympathies regards until all traces of dissension and opposition are obliterated and peace and good will ensue to the professions of our white brethren. Here is the land of our progenitors, and here are their bones; they left them as a sacred deposit, and we have been compelled to violate its trust; it is dear to us, yet we cannot stay, my people are dear to me, with them I must go. Could I stay and forget them and leave them to struggle alone, unaided, unprotected, and forgotten, by my great father, I should then be unworthy the name of a Choctaw, and be a disgrace to my nation. I must go with them, my destiny is cast among the Choctaw people. If they suffer, so will I; if they prosper, then will I rejoice. Let me again ask you to regard us with feelings of kindness. Yours, with respect,

GEORGE W. HARKINS.

SUNDAY MAILS.

From the Montgomery (Ala.) Printers' Gazette.

Albany, N. Y. Oct. 10th, 1831.

The Alabama Baptist association to the congress of the U. States. Whereas, sundry petitions have been presented to your honorable body, praying the suspension of transportation of the mail and the opening of the post office on the sabbath; and whereas, we have reason to expect a continuation of those petitions until the object asked for is obtained.

We, therefore, as religious bodies, in our associate capacity, and in the name of the churches and brethren we represent, have thought it necessary to express that right which we hold in common with all citizens of this government, to remonstrate against the grant of said petitions and to express our disapprobation of the measures asked for.

And, first, We object to the measure, because it would be a violation of the first clause of the first article of the amendments to the constitution, which says that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof." Now, if the law is passed on the sabbath day by law, the same law must not only decide which is the sabbath day, but necessarily enforce the observance of that day, so far as regards the mail department; and so far, would be the establishment of one article of religion, and a violation of the constitution as above quoted.

Secondly, We object to the measure, because it would produce a day of intestine war, both religious, political, and commercial, of one seventh part of the time, and would destroy, in that proportion, the importance and value of the constitution—an institution coeval in its existence with the government, intimately connected with its other departments, the labor and care of every administration, and the pride of the American people.

Thirdly, We object, because we deny that any earthly legislature has the right to establish a sabbath day by law, or to pass penal laws to enforce its observance, or to establish religion by law—or any article thereof—or to pass laws to provide for the maintenance of religion or its teachers. And we view it as preposterous in a legislature, to establish or enforce the observance of a sabbath day by law as it was in a pope to pass an edict that all infants should be baptized; and that legislature that assumes the power to assume the prerogative of God, offends against the majesty of heaven, and tyrannizes over the rights of conscience.

Fourthly, We object to the establishment of a sabbath day by law, because it is unnecessary to the worship of God. For profane—The Christians for the first three hundred years worshipped God publicly and privately in populous cities, towns, and villages—in public assemblies—in families—in public and private houses—not only without the intervention of law, or the establishment of a sabbath day, but in opposition to both law and law makers, the power of the Pagan world, and the rage of the persecuting Jews. We have no gentleman to show that the Christian religion, or any article thereof, of a Christian sabbath, was ever established by law before the days of Constantine; and yet religion prospered. God was worshipped, and that without distinction.

Fifthly, We object, because it is another effort to establish that old popish doctrine of uniformity, a doctrine as mischievous in its consequences as it is false in its nature. Uniformity, could it be effected, would be of no advantage to Christianity; for dissension produces investigation, investigation discloses error, and error truth shines. Then it is not difficult to see that it is anti-Christian religion and its teachers that formerly, as at the present, were and are calling to their support the strong arm of civil power, while the true worshippers of God have been the sufferers.

Our Sixth, and last objection that we shall offer, is, that the Baptists have not yet forgotten our whipping posts, prisons, floggings, laws, &c. that we suffered in the states of Virginia and Massachusetts. We do not admit that those sufferings to our torture and highly respectable states; but to the true Christian spirit of persecution that inflamed the religious teachers of those times, and caused them to influence the rulers to such acts of barbarian cruelty; nor do we possess hardness of feeling toward our persecutors: But our object is, to avoid the like consequences by rejecting the principle—persecution follows in the train with law established religion.

These several objections we respectfully submit to the wisdom of your honorable body, praying that they may be heard, and that the annals of this nation may never be stained with religious establishments in any shape or degree; and that religion may be unmarked of human trumery, that its virgin beauty may appear.

(Signed) JAMES McLEMORE, moderator.

William J. Larkins, clerk.

* This association contains 25 churches—1,311 members.

END OF VOLUME FORTY-ONE.

Dec 17. 1831

NILES' WEEKLY REGISTER.

ADDENDUM TO VOLUME XLII.

GENERAL CONVENTION

OF THE

FRIENDS OF DOMESTIC INDUSTRY,

ASSEMBLED AT NEW YORK OCTOBER 26, 1831.

REPORTS OF COMMITTEES.

ON THE PRODUCT AND MANUFACTURE OF IRON AND STEEL.

In Convention, Oct. 27.—It was resolved that a committee of fifteen be appointed to report on the production and manufacture of iron.

The committee was afterwards charged to report on the production and manufacture of steel, and enlarged. And, in its final arrangement, consisted of the following gentlemen:

Messrs. Dunlop, (chairman), S. Richards, Valentine, Jones, Haldeman, Stewart, Keim, Henry, Pennsylvania, J. Richards, Scott and W. Jackson, N. Jersey, Newell, R. Island, E. T. Ellicott, Boyle, Maryland, B. B. Howell, Murray, Ross, J. Townsend, New York, Holley, Connecticut, Leech, Massachusetts, Philips, J. R. Coats and Chambers, Pennsylvania, Hammond, Vermont, and J. H. Pierson, New York.

REPORT ON IRON AND STEEL.

The Committee on Iron and Steel respectfully Report:—

That in discharge of the duties assigned to them, they have availed themselves of the information obtained by the convention of the manufacturers of iron, recently assembled at Philadelphia (of which several of your committee were members), which information was originally collected for the purpose of answering the call made upon the secretary of the treasury, at the close of the last session of congress—and is, they have every reason to believe, as precise and accurate, in all its parts, as any body of facts, of equal magnitude and importance, which, under similar circumstances, has ever been submitted to the public.

From abstracts of statements made to that meeting [annexed and marked A] it appears that at 202 furnaces, known to have been in operation, there were made in the year 1830, 155,348 tons of iron. This iron, further investigation enables your committee to say, is converted into 90,768 tons of bar iron, and 28,273 tons of castings, as there also set forth, which with the

bar iron made at the bloomeries, amounting in that year to 5,853 tons, and making a total of bar iron of 96,621 tons, will, if estimated at the average wholesale prices of the principal markets of the country, as therein more particularly detailed, give an aggregate value for the production of that year of eleven millions, four hundred and forty-four thousand, four hundred and ten dollars.

The same statements exhibit for the three years ending with 1830, (when the bar iron made at the bloomeries is reduced to pig iron, and added to that made at the furnaces), the following results—

For 1828.	Iron 130,881 tons.	Value 10,861,440 Dollars.
" 1829.	" 142,870 "	" 11,528,134 "
" 1830.	" 163,542 "	" 11,444,410 "

Increase in quantity in two years very nearly 25 per cent.

Increase in market value not quite five and one half per cent.

It will be perceived in examining the last statement, that the increase in value does not keep pace with that of quantity—and your committee would here, for a moment, call the attention of the convention to this fact, to which they shall have occasion to allude more particularly hereafter, as affording a practical refutation of the doctrine, that an increased impost necessarily enhances the price to the consumer.

In this instance the average price of bar iron in 1828 was \$118½. In that year an addition to the duty on hammered iron was made of 4 40-100 per ton, and on rolled of 7 dollars. In the following year the price fell to 114 2-3, and in 1830 to 96 2-3; shewing a decline in two years of 21 2-3 dollars per ton, in the face of the increased duty above mentioned—a decline effected exclusively by domestic competition, inasmuch, (as will hereafter appear) no corresponding diminution of price took place abroad, and the fall here, was greatest in those markets which are inaccessible to foreign iron.

In making these statements, your committee have been careful to found them upon data which they believe will bear the test of the most rigid scrutiny. They have been particularly cautious to guard against exaggeration. They believe the cause they desire to sustain needs no aid beyond the simple truth, and, when that is made known it will require no extraneous support, but may safely rest its claims to the favour of their fellow citizens, upon their sense of justice and expediency, and its own intrinsic merits.

Notwithstanding their own convictions on this subject, however satisfactory to themselves these statements certainly are, yet, as they are so much at variance with others which, having been extensively spread before the public under the sanction of a select committee of the senate of the United States, are, on that account, entitled to the most respectful consideration,—your committee will, in this place, submit some additional facts and statements in proof of what they have already adduced.

In 1810 the quantity of bar iron made in the United States was, agreeably to Cox's tables, - - - - - Tons 27,051

This quantity was probably short of the truth, as the tables are known, when they err, to err in this particular, excess never having been attributed to them.

We have no account of the quantity imported before 1816. It was then, of all kinds of bar iron, agreeably to a return made by the register of the treasury, upon a call by congress. 21,537

tons. If the importation of 1810 be estimated at three fourths of that of 1816—it cannot be far from the fact, and would be 16,152

Giving a total for the consumption of 1810, of bar iron—tons 43,208

Our population was then seven millions—it is now thirteen. If the consumption of iron be estimated at only the same rate, it would require for the year 1830 - - - - - 80,236 tons.

The importation of foreign bar iron for 1829, (the last return in possession of the committee) was 32,750—exported 260—for consumption - - - - - 32,490

Leaving a void to be supplied by the domestic article of 47,746 tons.

But if the consumption be estimated not only by the ratio of increase of the population, but also by that of the vast increase of every branch of industry requiring the use of iron, it cannot be doubted that the consumption of 1830 was fully three fold that of 1810; it is probable that it was even greater, but equal at that rate to 129,609 tons; from which deduct that part imported, estimated as of 1829, (from which it cannot materially vary), and the result is 97,119 tons, instead of 35,000 tons, as asserted in the statements referred to—corresponding in a remarkable manner (the difference being less than 500 tons) with the estimates of the committee founded upon the facts now collected; believed still to be under the truth, and shewing the extraordinary errors into which the most enlightened and intelligent may be betrayed, by adopting the conjectures of others without due investigation.

Your committee have already referred to the fact of the decline in the prices of iron from 1828 to 1830, as establishing the doctrine that a duty on a foreign article, which can be abundantly produced at home, does not necessarily enhance the price to the consumer. In further illustration of that part of the subject, and of other beneficial consequences flowing from the system of protection, they beg leave now to refer to the accompanying statements marked B and C. By the one it will be seen, that while iron in some foreign markets advanced from 40 to 50 per cent. from 1824 to 1825, and from 1822 to '25 experienced fluctuations amounting to nearly 75 per cent. on the lowest cost—our own varied but about 17 per cent. including an additional duty of about five, and actually receded at a subsequent period, although sustained by a second addition to the duty, to prices below what had prevailed ten years before, when the existing duty upon hammered iron was but nine dollars, or less than one half of that now levied.

This comparative stability, so important to the success of all well regulated industry, was due, exclusively, to the domestic supply, which effectually protected the consumer from the foreign speculator, who could otherwise have controlled this market, and produced here the same disastrous consequences that ensued in his own.

If such has been the result of protection upon the general market of the country, its effects have been still more striking, when examined with reference to particular, but most important districts. Our western brethren, the hardy pioneers of our country, were restrained and limited, in their contest with the wilderness, by the difficulty of obtaining, on almost any terms, this article so indispensable to their success, in every stage of their arduous on-

terprise. The second statement exhibits the prices of iron of various descriptions at different periods, at Pittsburg and Cincinnati, the great marts of the west. Comment can scarcely be necessary upon the facts there disclosed. The decline in price (in some instances more than one half,) has been in exact proportion with the stability given to the domestic manufacture, by additional impost on the foreign, until it has reached a point that now enables the mechanics of the first mentioned city, that Birmingham of America, to enter into successful competition with those of almost any other quarter, in the fabrication of nearly every article of necessity, and in one, justly esteemed the proudest effort of human ingenuity, they have attained a degree of perfection which enables them to challenge comparison with the skill and experience of any nation whatever.

As your committee are assured that contracts can be made for any number of engines at the prices indicated in the table referred to, it cannot be necessary that they should press this point further.

Here, your committee might perhaps leave this branch of their subject, satisfied with having, as they believe, demonstrated, that protection to the manufacturer, when effectual in amount and connected with such an assurance of permanence as stimulates enterprise and excites skill, does not operate as a tax on the consumer, but the reverse. But they believe that facts will justify them in going even further; and will enable them to maintain the position, that an impost may, under some circumstances, operate as a tax, *not upon the consumer of the importing country, but upon the producer of the foreign article*, compelling him, for the purpose of preserving even partial possession of the market, to reduce his own profits in proportion to the increase of impost, which reduction is, in fact, a contribution to the treasury of the importing country, and may relieve its citizens from the burthen of taxation to that extent.

The circumstances under which this may occur are two.—First, where the importing country is the only or the principal market for the article in question, and that article one which the exporting country *unavoidably* produces in the manufacture of some other of greater value. Second, where there is an increasing surplus of production in the exporting country, and an extensive and growing manufacture of the same article in the country where this surplus has theretofore sought a market.

Without detaining the convention longer than to make a passing reference, as an example of the first case, to the additional duty laid by the tariff of 1828 (since repealed) upon molasses, which duty was exclusively paid by the foreign planter, who thus contributed, during its existence, more than half a million of dollars per annum to the support of the government of the United States,—the committee will proceed, in proof and illustration, at once of the second, again to refer to statement marked B, and to that marked D, where, among other facts, it will be seen, that in July 1828, after the intelligence of our additional duty reached England, iron fell at once 4 44-100 per ton, and that in the following year a further reduction of 6 50-100 was submitted to. Our additional duty gave additional confidence to the American manufacturer—he extended his operations and increased the supply, *without advancing the price*. The foreign manufacturer could only reach the market by the payment of the additional impost. American competition prevented him from charging this to the consumer and he was

therefore compelled to diminish his profits by this much, and to the same extent to become a contributor to the treasury of the United States.

An examination of the last mentioned statement [D] will shew that, by this means, through the instrumentality of American manufacturers, their foreign competitors have been made tributary to the public treasury, upon the article of iron alone since that article has been *really* protected, more than two millions and an half of dollars, while the consumer, as has been already shown, has been benefitted to an amount even greater than this.

If it be alleged that the same benefits would have resulted to the consumer—that the same decline in prices would have occurred without this competition—we answer, that such allegation would be contrary to all experience, which has taught all who have given attention to the subject, to know, that, while we are dependent, *exclusively*, upon foreigners for any article of consumption, they are enabled to prescribe their own terms, and that these always include a large profit to themselves. But the moment it is discovered that domestic ingenuity is at work to produce the same article, that moment their prices are reduced, and often to an extent that excites astonishment, when it is accompanied with the knowledge that no sensible change in the cost of production has taken place.

But it may be asked—if additional protection, by exciting domestic competition, invariably brings down prices, of what benefit is this protection to the domestic manufacturer? To this we reply—that *permanence and stability, not high prices*, are our objects. American manufacturers are not so blind to the constant and inevitable course of events, as not to foresee that, as these objects are approached, they must expect a more active competition from their fellow citizens, as well those who are already engaged in the same pursuits, as from others who may be induced to enter. But for this they are prepared—they can calculate its extent, and its effects are wholesome and salutary upon all. It stimulates to greater care, economy, industry and skill—profits are reduced, but they are stable; and the prudent man looks forward, with confidence, to realizing a fair reward for his labours. Against foreign competition there is no guarding, because the manner of its approach can never with certainty be foreseen, nor can its extent be calculated. The *ordinary* production of foreign industry, in any particular branch, may be estimated *with some* accuracy; but the extraordinary fluctuation, to which their markets are liable from great political convulsions and from other causes, cannot with any. Every violent change there, invariably forces upon our markets their vast accumulations, which, easily breaking down the feeble barrier of a mere revenue protection, involves in ruin all who have essayed competition in the same branch. The consumer may be benefitted for the moment, but a re-action certainly follows—great fluctuations engender a spirit of speculation; and mere gambling is substituted for all regular traffic. The frequent recurrence of these evils, (every where acknowledged to be such), is only to be prevented by a system of protection, which, when efficient for the main purpose, is, as has been proved, abundantly so for this also.

Having, as they believe, satisfactorily shewn the beneficial effects of a system of *real* protection to the consumer of iron, your committee will proceed with a few brief remarks upon its influence on the agriculture, labour and internal trade of the country.

From a critical examination of the returns from 73 furnaces and 152 forges, in a great variety of situations, the details of which are more particularly stated in the paper annexed and marked E, they find, that in the manufacture of the iron, in its first stages only, made in the United States in the past year, agricultural produce to the amount of nearly three and an half millions of dollars has been consumed; which vast sum has been paid by the manufacturers, and those employed by them, to the farmer, shewing how completely his interest is identified with their's, and furnishing him with the means of estimating the probable consequences to himself of the destruction of this branch of industry, and the conversion of so large a body of consumers into cultivators and producers.

By the same statement it appears that nearly twenty-five thousand workmen are constantly employed, receiving annually the sum of seven millions four hundred and ninety three thousand and seven hundred dollars; making, with their families, nearly one hundred and twenty-five thousand persons directly dependent upon this manufacture.

For transporting this iron to the markets where it is sold to the consumer, it is calculated that about one million and a quarter of dollars are annually paid, being a further contribution to labour and agriculture.

These facts, your committee believe, sufficiently shew how completely interwoven are the interests of agriculture and labour, with those of manufactures. They think, and they hope hereafter to demonstrate it, that those of commerce are not less so; but, for the present, will refer to one fact frequently alleged and recently and triumphantly reiterated, in support of a different view of the subject—namely, that every ship of the burthen of 500 tons, is subjected to a tax, occasioned by the duties on the foreign articles entering into her construction, of two thousand dollars, of which that on iron forms a large proportion. Without wishing to detract in the slightest degree from the merits of a branch of our industry that has secured so much of glory to our national character, as well as profit to our country, it must not be forgotten that this interest, which was one of the earliest subjects of national regard, has, for a long period, enjoyed a protection in the discriminating tonnage duty of 94 cents per ton, which, on a vessel of 500 tons, amounts to 470 dollars on every voyage; and, admitting the supposition that she makes three voyages yearly, such protection amounts to 1410 dollars per annum. And inasmuch as it is understood to be a principle of mercantile calculation, that a new outfit is to occur every five years, there is a protection amounting to seven thousand and fifty dollars against the tax of 2000—and if it be true that the community suffers by protecting our domestic industry, it would seem not politic for those interested in navigation to appear as complainants. And this, it must be observed, is independent of the 10 per cent. discriminating duty on all merchandise imported in foreign bottoms, imposed solely to foster the shipping interests of the country.

It may be argued that this system of discriminating duties is disappearing before the reciprocities offered and embraced in many of our commercial treaties. But let it be remembered, that these reciprocities have been the fruit of a rigid adherence to the protecting system, to which even the "mistress of the ocean" has been compelled to succumb, affording a perfect illustration of the efficacy of those principles for which we contend; and which will eventually oblige the manufacturing nations of Europe and else-

where, either to extend the right hand of reciprocity to our agriculturalists, manufacturers and mechanics, as they have done to our merchants, or to sink before the unequal conflict with American ingenuity and American enterprise.

The committee deem it here proper to advert to the attempts which have, for some two years past, been made to array the interests of the manufacturers of iron, in its higher stages, to wit—hardware, &c. against its primary manufacturers, and the efforts which have accompanied these attempts to obtain a large reduction of the existing duties upon some descriptions of iron, and a total abolition of those upon others, for the alleged purpose of placing these two branches of industry upon an equal footing in the home market.

Fully to counteract such efforts, your committee believed it would only be requisite to ascertain what proportion of the value of the manufactured article consisted of the duty on the bar and sheet iron entering into its composition; and what, of that, upon the value given abroad by the subsequent elaboration. To determine this, they took a lock, called a *Scotch spring lock*, which weighed two pounds—they supposed that half a pound of iron was lost in making—total weight, $2\frac{1}{2}$, deduct half a pound of brass—weight of iron 2 pounds, which, at the *highest duty* of $3\frac{1}{2}$ cents per lb. is seven cents. The sterling cost of this lock, with charges subject to duty, was twenty three pence, and the duty, as calculated at the custom house, very nearly twelve cents.

In this case, if the American manufacturer of locks had imported his iron at the *highest* rate of duty, he would have paid a tax (if the duty be a tax) of seven cents, and would have received a protection of twelve cents, as against the foreign manufacturer of hardware.

Another lock called a closet lock, cost, with charges, two shillings and three pence; duty as above nearly 14 cents, and weighed, with the same allowance, $\frac{3}{4}$ of a pound—duty, at the highest rate of $3\frac{1}{2}$ cents, is 2 5-8 cents. Here the manufacturer of hardware would receive *five times* more protection on the same article than the iron manufacturer.

A third lock, called a mortice lock, cost, with charges, five shillings—duty as above 30 cents, and weighed, with the same allowances and deductions for brass, 2 pounds—which, at the highest rate of duty as before, is 7 cents.

Here the protection to the hardware manufacturer, as compared with the iron maker, is nearly four and an half to one. In all these cases the *highest duty is taken on iron and the lowest on hardware*.

The inquiries of the committee having, so far, exhibited results so entirely at variance with statements which had been widely circulated under high authority, they became apprehensive that it would be alleged these examples had been purposely selected with reference to such result; and, although they were, in truth, taken entirely at random, yet they believed it to be their duty to pursue the investigation on a more extended scale, and, if possible, to embrace the entire importations of the country—a course, the perfect fairness of which, they think, cannot be called in question.

It was known to one of your committee, that, when the applications already referred to, were before congress, a highly respectable house of this city, engaged both in the manufacture of iron and importation of hardware, had taken up the memorials and statements upon which the subsequent report of the select committee of the senate was founded, and examined them in

detail. They were, accordingly, invited by the committee to assist them in the investigation—their aid was cheerfully and promptly furnished, and the result will be found in the document annexed and marked F.

To refer particularly to every part of this elaborate and most valuable paper, would occupy too much of the time of the convention, and would swell this report beyond all reasonable limits. Nor could justice be done it, by any reference, however particular. It is respectfully, but earnestly, recommended to the careful perusal of every member.

Your committee, however, solicit the attention of the convention to a few remarks upon some of the most striking errors of fact contained in the memorials, statements, and report already alluded to, which they deem too important to pass without such notice.

One great object of the memorialists was to obtain the importation of English iron at a very low rate of duty, on the alleged ground that it was superior to other iron for many, and equal for most purposes, for which iron is used.

In answer to this it is shewn that, although this iron can now be imported in every required form of bolts and bars, at full twenty per cent. less than other iron, yet, such is the character which experience has stamped upon it, that only *one seventh* of all the iron imported is of this kind, and, of the entire consumption, it forms but *one thirty-ninth part!* To admit the statement of the memorialists, in this respect to be true, would therefore be to suppose an ignorance of their profession and interests, on the part of the American blacksmiths and others, workers in iron, which your committee cannot for a moment sanction.

The memorialists stated that the duty on iron was from 159 to 282 per cent. or from 6 to 11 times the duty on hardware. The want of candour manifested by the *general character* of this statement, is fully exposed in the examination, where it is shewn that the quantity paying the duty of 37 dollars per ton, is but one seventh, and that paying 78 40-100 but one thirtieth of the whole importation, and but 1-39th and 1-112th parts of the entire consumption.

Your committee have already had occasion to advert to the extraordinary error committed by the memorialists, when they fixed the manufacture of iron in this country at 35,000 tons. They now beg to call the attention of the convention to an error as remarkable on the other hand.

For the apparent purpose of exhibiting, in mortifying contrast, the insignificance of the domestic manufacture, when compared with the foreign importations, the entire consumption is assumed at

Leaving, after the deduction of the above	-	-	-	116,844 tons.
To be supplied from abroad the quantity of	-	-	-	35,000
				81,844 tons.

Of this last quantity it is stated that 47,798 tons were imported in the form of hardware, at a duty varying from 5.50 to 8.25 per ton, and that, in this way, this large quantity of iron was introduced at

an aggregate duty of	-	-	-	284,293	17-100
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"while the same weight of iron imported in its raw state

"of bar, sheet, rod, or hoop iron, estimating the duty at

"only 37 dollars per ton, and leaving out of considera-

"tion the duty of 3½ cents, would have paid"

1,568,526

"At this rate," they say—"the discriminating duty in favour of the British manufacturer (of hardware) was actually 1,284,232 83-100 dollars, "for the fiscal year 1828-29."

The above *weights* it is admitted are obtained by *estimates*—that is, by assuming one third of the gross value of the hardware imported to be the cost of the raw material of iron, and then bringing that third into tons at 23 33-100 per ton. The experiments on a small scale, already recited in this report, shewed the error of these estimates:—When brought to a practical test, on a scale embracing every article in the whole range of importation, their true character was made even more manifest. The committee again refer to the examination of Messrs. Green and Wetmore, by which it will appear that the whole weight of the above hardware (including brass, horn, and all other materials) was but 9,763 tons, instead of 47,798 tons, and that the duty actually paid was rather more than *one hundred and four dollars per ton*. That if the American manufacturer of hardware had imported the iron and paid the duty mentioned by the memorialists of 97 dollars per ton, he would have paid the sum of - - - \$561,231

And would have been protected by a duty on the manufactured article of - - - - -

1,003,843

Making a discrimination, for the fiscal year 1828-9, in favour, not of the British manufacturer of hardware of one million two hundred and eighty four thousand two hundred and thirty-two dollars and eighty three cents—but in favour of the American manufacturer of hardware, over both the British hardware manufacturer and the American manufacturer of iron, of six hundred and forty-two thousand six hundred and twelve dollars.

Here your committee might, they believe, safely rest this part of the subject, deeming their duty in relation to it fully discharged. They will detain the convention only while they present a brief summary of the different, and, in some instances, opposite conclusions, to which a careful examination of the same subject has brought them, when compared with those put forth by the memorialists

They (the memorialists) say that the entire consumption of iron in the United States, is - - - - - 116,344 tons.

Your committee have shewn that, in domestic and imported bar iron, taking the imports (with the exception of hardware) as stated by the memorialists themselves, and in castings, it amounts to - - - - - 158,280 tons.

If the estimates of the memorialists, as respects hardware, had been retained, the quantity would have been swelled to - - - - - 196,315 instead of 116,344, and it is with reference to that quantity that the comparison of statements should be made.

The memorialists say that of this quantity consumed but 35,000 are made in the United States.

Your committee have shewn that of bar iron there is produced 96,621 tons.

And of castings - - - - - 28,273

Together - - - 124,894

but if reduced to pig iron, the mode of computation always adopted in Great Britain, the quantity would rise to 163,542 tons, instead of 35,000.

Of the quantity made here, the memorialists say but 10,000 tons reach the seaboard.

Your committee, upon what they deem good authority, believe that one third of all the bar iron, and more than two thirds of all the castings, pass through the markets on the seaboard—they shall have occasion to notice this item more particularly hereafter. For the present, they will only remark, that *more than 10,000 tons are annually made in New Jersey alone, all manufactured within a few miles of the seaboard and nearly all sent to the markets there.*

The memorialists say that of *rolled* iron ten-elevenths are imported in the manufactured state, and the remaining eleventh in the raw state.

Your committee have shewn that the actual proportions are a little more than two to one instead of 11 to 1.

They say that the quantity of *rolled* iron, in all its various forms, compared with *hammered* iron, is nearly in the proportion of *two to one*.

Your committee shew that the true proportion is but a little more than *one to nine*.

They say that of 90,000 tons of iron sold in the markets of the seaboard, but one ninth, including *all* descriptions, is American.

Your committee have shewn that of about 95,000 tons sold in those markets, about 52,000 tons, or *four* ninths, are of American manufacture.

They say that the American iron, compared with foreign iron imported in the shape of hardware, is in the proportion of one to six, or, out of 60,000 tons but 10,000.

Your committee have shewn that the true proportions are as nearly as possible the reverse—namely, as six to one, or but 9,763 tons imported in hardware against 52,000 tons American brought to the seaboard.

The memorialists allege that 47,798 tons of iron, in the form of hardware, were imported in one year. Your committee have shewn that the real amount was 9,763 tons.

The memorialists assert that the duty on iron is from 6 to 11 times that on hardware. Your committee shew that the duty on hardware is 3 to 4 times that on the iron entering into its composition, even if that duty be estimated at 37 dollars per ton, which is 11 dollars per ton more than the average rate.

The memorialists assert that sheet iron, in the form of tea trays, can be be introduced at a cost of 83 72-100 per ton. Your committee shew that the true cost is 396 22-100 dollars.

They assert that but eleven thousand persons are employed in the United States in the manufacture of iron. Your committee have shewn that the number is nearly twenty-five thousand.

Finally, the memorialists complain of the oppressive burthen which the protection afforded to this inconsiderable quantity, as they call it, of American iron, has been to them in their business. To shew the extent of this burthen, they had previously asserted that the existing laws had operated, in a single year, in favour of the British manufacturer of hardware over the American, to the amount of one million two hundred and eighty four thousand, two hundred and thirty two dollars and eighty three cents.

Your committee have shewn that the actual discrimination in favour of—*not the British but the American* manufacturers of hardware, that is of all

of the petitioners themselves who are such, was, in that *same year*, at the lowest computation, very nearly six hundred and fifty thousand dollars.

Your committee earnestly invite every practical American mechanic to examine this subject for himself—to look well into their statements, and ascertain to what extent his interests are guarded by existing laws; and having done so, they cannot doubt an unanimous opposition on the part of that respectable and valuable class of our citizens, to any such suggestions as those embraced in the concluding prayers of the memorialists which have been under examination.

Your committee feel that they ought to apologise for having occupied so much of the time of the convention in the examination of this memorial, which might be thought not strictly within the range of their duties. It would seem that errors of such magnitude must be self-evident, and could require no exposition. Your committee would willingly have adopted this opinion—but the importance that had been given to this document, by the course pursued in the senate of the United States, forced them to a different conclusion. In that venerable body it was referred to a select committee of its most distinguished members—a majority of whom, by adopting all its statements as facts, and its opinions and arguments as just, re-affirming them, indeed, after they had been questioned in counter memorials, have thereby changed their character, have lent to them the high authority of their names and station, and stamped them with an importance which they did not originally possess. They have been widely and industriously circulated under the imposing sanction of a report of the senate, and so much have they been relied on, that it has been triumphantly asserted they would “break the iron arch” which supports our system, and thus bring the whole fabric to the ground.

These were the considerations that governed your committee in the course they have pursued, and they hope to find in them a sufficient excuse for their trespass upon the time and attention of the convention. In the performance of this duty they have found it impossible to be brief—where so many assertions were to be met and refuted, this was out of the question. The same allegation met them again and again, in some new form, varied to suit the occasion—hence repetition was unavoidable. They trust their apology will be found in the necessity of their situation.

Before dismissing this subject, your committee owe it to justice and themselves to say, that they entirely acquit the distinguished gentlemen, composing the majority of the committee of the senate, of even a suspicion of any intention to mislead. They cheerfully concede to them the same sincerity and singleness of motive and purpose which your committee claim for themselves; while they regret, as they do most deeply, that they should have been made the instruments of so extensive a dissemination of error.

In the preceding examination your committee had occasion to notice and refute the statement, that but a small portion of American iron reached the markets on the coast. In a communication addressed to the convention recently assembled in a neighboring city, which derives importance from having been adopted by that respectable body as a part of its proceedings, it is, among other things asserted, that but 430,000 dollars in value of all the iron manufactured in this country, *including duty or bounty* reaches the seaboard. The presumed object of this assertion, as well as

those in which the quantity was stated at 10,000 tons, is to make it appear that the abolition of the duty on foreign iron would affect but a small number of the manufacturers of the domestic article; while it would relieve the mass of the consumers on the sea board from the *supposed* tax upon the foreign.

To shew the value of this assertion your committee beg leave to refer again to statement A, where it will be seen that, in a small district of West Jersey, alone—iron amounting to more than half a million of dollars, is annually made, the *whole* of which finds a market in the neighboring sea ports.

Your committee were instructed to report upon cutlery, and the manufactures of iron in its higher stages.

They have found it impossible, in the limited time allowed them, to do more than ascertain that they are numerous and of great extent and value. They annex two statements marked G and H—the one exhibiting the annual amount of manufactures in a single county of Connecticut, the value of which is nearly nineteen hundred thousand dollars—iron constituting one-fourth, and those of that material in its higher branches nearly one-tenth. The second shews the value of manufactures for one year in the small county of Delaware, in Pennsylvania, amounting to nearly fourteen hundred thousand dollars, of which those of iron form more than one-seventh. These two instances, taken at random, may serve to convey some idea of the vast amount and value of the manufacturing interest of the entire country.

The committee have deemed the article of steel of sufficient importance to merit a distinct report which will be found annexed, marked I, and is respectfully recommended to the particular attention of all those who take an interest in that valuable branch of our industry.

The last consideration that occurs to your committee as properly within their duty to notice, is the capability of the United States to furnish a supply of iron equal to their own wants. Of this the committee cannot entertain the smallest doubt. The tabular statements heretofore referred to, shew that, in two years, from 1828 to 1830, the supply has increased very nearly twenty-five per cent. and it is known that old establishments, in many situations, are enlarging, and new ones erecting, giving assurance that this increase will be progressive, until not only the domestic market will be fully supplied, but a surplus remain for exportation, creating thereby a new source to meet the demands of foreign commerce and additional means of employment for our navigation.

If we compare our situation with that of Great Britain, in this particular, less than a century ago, we shall see abundant reason for self-gratulation. Ninety years since, her entire production of iron did not much exceed that which is now made in the state of New Jersey. In 1802, within the limits of a single generation, her furnaces were less in number than those now existing in the United States, and their production not more than will be made here during the present year—and this without availing ourselves of the means to which she is indebted for the extraordinary change which this comparatively short period has effected. We have the benefit of her experience—we can command her skill, if it be necessary—we have the mineral fuels, which have done so much for her, in unlimited abundance, when our forests fail—our citizens yield to none in enterprise and inge-

nity, when adequate rewards for the exercise of those qualities are held out—and knowing this, with the experience of our rapid progress in the last two years, furnishing, as we now do, more than three-fourths of the entire consumption, is it, we repeat, extravagant to assert, that we are fully competent to supply our own wants, and furnish a surplus to minister to those of our neighbors?

In conclusion, your committee cannot refrain from the expression of the gratification which the result of this investigation has afforded them. Deserted by the government, and denied that protection, which, at the close of the late war, was freely granted to almost every other interest, this important branch of domestic industry, so essential to the prosperity, if not to the existence of all others, and so closely allied to real national independence, seemed threatened with absolute extinction. A wiser policy, adopted at a later period, aided by the unconquerable spirit of American enterprise, has raised it from comparative insignificance to the elevated rank which it now holds; and to maintain it in which, it asks, as it believes, no sacrifice from its fellow citizens, engaged in other pursuits. Grateful for the consideration which its well founded claims upon their justice, after years of delay and suffering, at last obtained, it is now returning to them the full measure of benefit which it has received at their hands, and will continue to protect them, as heretofore, from speculation and monopoly from abroad, should it not a second time become the victim of that unnatural policy, which cherishes foreign while it neglects and destroys our native industry.

By order of the committee,

B. B. HOWELL, *secretary*.

SUPPLEMENTAL REPORT.

Before separating, the committee instructed the secretary to make a further report of any facts that might be received in time, for the permanent committee. In conformity therewith he has now to state, that Mr. Peter Townsend, who was delegated by those engaged in the manufacture of iron in this city, to visit all the establishments in this state and those east of it, has returned, and reported the result of his examination—by which it appears, that in New York there are in operation, of blast furnaces not included in the estimates of the above reports

8

In Connecticut

3

And information, from various other places, enumerates furnaces

not before known, to the number of

26

In the whole 37 additional furnaces, making of pig iron and castings 25,250 tons, and a large number of forges employed in converting the pig into bar iron.

There are returns also of 32 bloomery fires in situations where it was not before known that any existed, making 30 tons each per annum, or nearly 1,000 tons yearly of bar iron, by this process—and the returns brought by Mr. Townsend shew that the committee estimated this kind of iron nearly 1,000 tons too low in the districts which he visited.

The result of the whole would be, if 20,000 tons of the above pig iron be converted into bars

Bar iron,	14,285
Bloomed bar iron as above,	1,960
Bar iron, per former statements,	96,621

Total of bar iron made in the United States, agreeably to the information received by the committee to this date,	} 112,866

Stated in pig iron, it would be—

Former statement,	163,542 tons.
Pig iron and castings as above,	25,250
Bloomed bar iron equal to,	2,744

Total of iron equal to pig iron,	191,536 tons.
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The value of which, according to the mode of estimation already explained, would be thirteen millions three hundred and twenty-nine thousand seven hundred and sixty dollars.

It is hardly necessary to add that these additional facts strengthen all the inferences and calculations heretofore made by the committee.

B. B. HOWELL, *secretary*.

NEW YORK, November 1831.

Appendix to the Report on Iron and Steel.**STATEMENT A.**

The committee of manufactures of iron appointed by the convention assembled at Philadelphia, to examine the returns received in answer to the circulars addressed to different individuals engaged in that branch of industry; report the following tabular statement, as the result of their investigations:

STATES.	1828.			1829.			1830.		
	No. of furnaces.	Tons of pig iron.	Tons of castings.	No. of furnaces.	Tons of pig iron.	Tons of castings.	No. of furnaces.	Tons of pig iron.	Tons of castings.
Pennsylvania,	44	24,822	3,693	44	27,425	4,564	45	31,056	5,506
New Jersey,	11	1,733	6,264	11	1,941	5,998	10	1,671	5,615
Maryland,	5	2,247	483	5	1,715	1,065	6	3,163	1,259
Virginia,	2	400	50	2	702	72	2	538	43
Ohio,							7	5,400	250
Delaware,	1	450	350	1	450	350	1	450	350
Missouri,							2	590	250
	63	29,652	10,840	64	32,233	12,049	73	42,868	13,273

One furnace erected in Pennsylvania in 1830, will, in 1831, make 1,100 tons of pig iron.

In addition to the seventy-three furnaces mentioned in the preceding table, from which detailed returns had been received, the committee had information of one hundred and twenty-nine furnaces, in the states of Pennsylvania, New York, Vermont, Massachusetts, Connecticut, Tennessee, New Hampshire, Virginia and Ohio, in actual operation; but from them had then received no returns. Taking the production of the seventy-three furnaces, from which returns have been received, as the rule for estimating the whole, and the following would be the result:

YEARS.	Furnaces.	Tons of pig iron.	Tons of castings.	Total of pig iron and castings.
1828	192	90,368	33,035	123,404
1829	192	98,234	36,720	134,954
1830	202	118,620	36,728	155,348

But as the greater part of the furnaces not included in the returns, are situated in districts where but few castings are made, the committee have not felt authorized to estimate the quantity of castings made at them at more than about 5 per cent. of their entire production, which would give the following proportions and results:

YEARS.	Furnaces.	Tons of pig iron.	Tons of castings.	Total of pig iron and castings.
1828	192	108,564	14,840	123,404
1829	192	118,405	16,549	134,954
1830	202	137,075	18,273	155,348

From the best information the committee have been able to collect on this subject, they estimate that of the pig iron made in these years, about ten thousand tons

per annum, have, upon an average, been converted in the air furnaces and cupolas into castings, leaving to be manufactured into bar iron.

In 1828, of pig iron 98,564 tons, making of bars 70,403 tons.

1829,	"	108,405	"	"	77,432	"
1830,	"	127,075	"	"	90,768	"

And which quantities severally correspond with remarkable proportional accuracy with the returns from 132 forges, which accompanied the returns from the 73 furnaces first mentioned.

In East Jersey—in a part of Connecticut—in a large district of New York, and in Vermont, bar iron is extensively made by the process technically denominated *blooming*—or by a single operation from the ore, without the intervention of the blast furnace.

The returns already received justify the committee in putting down this description of bar iron for the

Year 1828	at	5,341 tons,	} Of which 2,197 tons in East Jersey.
1829	at	5,654 "	
1830	at	5,853 "	

Making a total of bar iron

For 1828	of	75,744 tons,
1829	of	83,066
1830	of	96,621

And the entire quantity of iron in its first stage, as shewn in the following table:

DESCRIPTION OF IRON.	1828.	1829.	1830.
	Tons.	Tons.	Tons.
Pig iron,	108,564	118,405	137,075
Castings from blast furnaces,	14,840	16,549	18,273
Bloomed bar iron, for the years respectively, reduced to pig iron, at 25 cwt. to the ton of bars.	7,477	7,916	6,194
Total iron in pigs and castings.	130,881	142,870	163,542

Total increase of all kinds of iron in two years, very nearly, 25 per cent.

For the purpose of determining the value of the above iron, the committee have taken the average prices of the principal sea ports, and those of Pittsburgh and Cincinnati, and have estimated that two-thirds of the bar iron made in the United States, is sold in the western markets—the proportion may be greater, which would increase the entire value.

In 1828, the average price of American hammered iron, in the principal cities east of the Susquehanna, was 105 dollars, and at Pittsburgh and Cincinnati 125 dollars, the average, estimated as above, would be 118½. In 1829 the prices were 100 and 122, giving an average of 114½, and in 1830, 90 and 100 dollars, average 96½. Castings, from the blast furnaces, are valued at 60 dollars, although many sell higher, and from the air furnace and cupola, at 4½ cts per lb.—which is certainly not above the average rate.

At these prices, the aggregate value of the iron made

In 1828	would be	10,861,440	dollars,
1829	"	11,528,134	"
1830	"	11,444,410	"

Increase in market value in two years less than 5½ per cent.—decrease in value from 1829 to 1830, nearly three-fourths of one per cent.

STATEMENT B.

Prices of iron in England, taken from the invoices of the importers in New York.

Years.	Flat.		Rounds.					Squares.	
	Common size.		Common size.	5-8	1-2	3-8	1-4	Com.	1-2
1806	1.20	6 0	22 6 0	23 6 0	27 0 0			19 6 0	
1808			14 5 0	15 5 0					
1809	14	0 0	15 0 0	16 0 0				14 0 0	17 0 0
1810	13	0 0	14 0 0		17 0 0			13 0 0	16 0 0
1815	11	0 0	11 0 0	11 0 0	16 0 0			11 0 0	13 0 0
1816	10	0 0	10 0 0	10 0 0				10 0 0	12 0 0
1819	12	6 0	12 6 0	12 6 0				12 6 0	
1820	9 16	9 10	10 0 0	10 6 0	11 6 0	12 5			11 6 0
1821	8 15 6	8 15 6	8 15 6	8 15 6	9 5 6	11 14	13 13	8 15 6	9 15 6
1822	8 0 0	8 0 0	8 0 0	8 0 0	10 3 0			8 0 0	
1823	8 4 0	8 4 6	8 4 6	8 4 6	9 4 6			8 4 0	9 4 0
1824	9 2 0	9 2 0	9 2 0	9 2 0		11 6		9 2 0	
1825	13 15 0	13 15 0	14 6 0					14 6 0	15 6 0
1826	10 6 0	10 6 0	11 6 0	12 3 0	14 3			10 6 0	
1827	9 13 0	9 13 0	10 0 0		11 7	13 7		9 13 0	10 7 0
Feb'y 1828	8 9 0	8 9 0	8 9 0			13 0		8 9 0	9 10 0
July 1828	7 9 0	7 9 0	7 9 0					7 9 0	10 5 0
1829	6 0 0	6 0 0	6 0 0					6 0 0	
1830	6 0 0	6 0 0	6 0 0		8 0 0	9 0	11 0	6 0 0	
1831	{ 5 10 0	{ same		same	7 10 0	8 10	9 10	{ 5 10	
	{ to 6l							{ to 6l.	

The above prices are pounds, shillings and pence, sterling, per ton.

In 1806, the difference between common sizes and half inch, was nearly 7l. sterling per ton. It required twenty-five years to bring it down to the present difference of 2 pounds.

B. B. Howell, esq.

Sir—I have the honor to hand you the following prices of iron in Sweden, from 1815 to 1831—and you may consider the Russian new sable was at the same prices, and P. S. L. at 20s. sterling, per ton, higher, at the same periods.

Yours, &c.

(Signed)

N. SALTUS.

March 1815	£ st. 12 0 0	September 1824	£ st. 10 7 6
July 1816	13 10 0	December 1824	11 5 0
October 1816	12 10 0	April 1825	14 3 0
March 1817	13 10 0	September 1825	14 19 0
June 1817	14 0 0	June 1826	12 0 0
February 1819	16 10 0	July 1827	12 9 0
December 1819	13 3 0	October 1827	13 5 0
January 1820	14 10 0	December 1827	13 5 0
June 1821	13 5 0	September 1828	13 15 0
September 1821	11 14 0	May 1829	13 15 0
November 1822	11 10 0	June 1829	13 9 0
April 1823	12 4 0	September 1829	12 19 0
August 1823	11 10 0	December 1829	12 0 0
December 1823	11 0 0	April 1830	11 0 0
March 1824	11 5 0	May 1831	10 10 0
August 1824	10 11 0		

Wholesale prices of hammered bar iron in the sea-ports of the United States.

1793	90 to 95 dolls. per ton.	1813	115 to 125 dolls. per ton.
1794	" "	1814	125 to 145
1795	" "	1815	130 to 150
1796	" "	1816	110 to 120
1797	100 to 105	1817	90 to 100
1798	" "	1818	" "
1799	95 to 100	1819	" "
1800	" "	1820	" "
1801	110 to 120	1821	85 to 95
1802	105 to 110	1822	" "
1803	" "	1823	90
1804	" "	1824	"
1805	" "	1825	105
1806	" "	1826	105
1807	110 to 115	1827	100
1808	" "	1828	105
1809	" "	1829	100
1810	115 to 120	1830	90
1811	110 to 115	1831	75 to 85
1812	" "		

STATEMENT C.

Shewing the effects of a tariff of protection on the article of iron at Pittsburgh and Cincinnati:—

In the years 1818, '19 and '20, bar iron in Pittsburgh sold at from 190 to 200 dollars per ton. Now the price is 100 dollars per ton.

In the same years, boiler iron was 350 dollars per ton. Now at 140 dollars per ton. Sheet iron was but little made in those years, and sold for 18 dollars per cwt. Now made in abundance and sold at 8½ dollars per cwt.

Hoop iron, under same circumstances, was then 250 dollars, and is now 120 dolls.

Axes were then 24 dollars per doz. and are now 12 dollars.

Scythes are now 50 per cent. lower than they were then—as are spades and shovels.

Iron hoes were in those years 9 dollars per doz. Now a very superior article of steel hoes at 4 to 4½ dollars.

Socket shovels are made at 4½ dollars by the same individual who, a few years ago, sold them at 12 dollars per doz.

Slater's patent stoves, imported from England, sold in Pittsburgh at 350 to 400 dollars—A much superior article is now made there and sold for 125 to 150 dollars.

English vices then sold for 20 to 22½ cents per lb. now a superior article is sold at 10 to 10½.

Brazier's rods in 1824 were imported, and cost 14 cents per lb. or \$313 80 per ton. Now supplied to any amount of ½ to 3-8 diameter, at \$130 per ton.

Steam engines have fallen in price since 1823, one-half, and they have one-half more work on them.

The engine at the Union Rolling mill. (Pittsburgh), in 1819, cost \$11,000—a much superior one of 130 horse power, for Sligo mill, cost, in 1826, 3,000 dollars.

In 1830, there were made in Pittsburgh one hundred steam engines.

In 1831, one hundred and fifty will be made, averaging 2,000 dollars; or 300,00 in that article alone.

A two horse power engine costs 250 dollars; six horse 500 dollars; eight to nine horse 700 dollars. These last are the prices delivered and put up.

At least 600 tons of iron made in Pittsburgh are manufactured into other articles before it leaves the city, from steam engines, of the largest size, down to a three-penny nail.

Eight rolling and slitting mills of the largest power, are in the city of Pittsburgh—five of which have been erected since 1828.

Thirty-eight new furnaces have been erected since 1824 in the western parts of Pennsylvania, and that part of Kentucky bordering on the Ohio river, most of them since 1828.

The quantity of iron rolled at Pittsburgh was in

1828	tons	3,291 19 0 0
1829	"	6,217 17 0 0
1830	"	9,282 2 0 0

Being an increase of nearly 200 per cent. in two years.

The above facts were furnished by members of the committee residing at Pittsburgh, who vouch for their accuracy.

One fact there stated, suggests the following remarks to the committee:

To the report of the select committee of the senate of the United States, on the subject of iron, is appended, among other papers, one in which it is stated, that "it is now ascertained that the superiority of England over France is entirely due to the cheapness of iron: a six horse steam engine, for instance, in France, costs on the average, at least 500 dollars more than in England, owing to the cheapness of iron in Great Britain—It is still dearer in the United States than in France."

Here it is asserted that a six horse power steam engine costs 500 dollars more in France than it does in England, and that it is still dearer in the United States than in France. Now it so happens, that in the United States, at Pittsburgh, a steam engine, of that power, can be put up, ready for action, for the identical sum of 500 dollars.

PRICES OF IRON AT CINCINNATI.

1814 to 1818, bar iron 200 to 220 dollars per ton—now 100, 105, 110. The fall in prices has been nearly as follows:

1826	bar iron assorted	125 to 135 dollars.
1827	"	120 to 130 "
1828	"	115 to 125 "
1829	"	112½ to 122½ "
1830	"	100 to 110 "
1831	"	100 to 110 "

Castings, including hollow ware, 1814 to 1818, 120 to 130 dollars per ton: present price 60 to 65, and the quality much improved.

STATEMENT D.

The duties on iron imported into the United States, were, 1804 to 1812, 15 per cent.—double war duties from 1812 to 1816. In 1816, duties, rolled iron 30 dollars per ton, hammered 9 dollars. The law of 1816, fixing the duties at these rates, ruined many of the manufacturers and compelled them to abandon their works. By the act of April 20, 1818, the duty on hammered iron was raised to 15 dollars. This, in some measure, revived the manufacture, and many, who had abandoned, resumed their operations. The foreign manufacturer, to keep possession of the market, offered his iron at a less price; so that there was an actual decline here. In 1824 the duty on hammered iron was raised to 18 dollars, and in 1828 to \$22 40. These additions to the duty had no permanent effect in raising the price. The foreign manufacturer could not advance his prices beyond those of 1824, because the American iron maker supplied the market at those rates; and iron, at a duty of \$22 40, sells at less than it did at one of 9 dollars. The foreign manufacturer has been compelled to take the additional duties from his profits—and these deductions from his profits have been paid into the treasury of the United States, without adding to the price paid by the American consumer.

The following table shows the operation of the additional duty levied since 1816 on hammered iron alone.

	<i>Tons.</i>	<i>Duties.</i>
1818 imported of hammered iron	13,931	208,950 dollars.
1819 " "	16,160	242,394
1820 " "	19,631	272,877
1821 " "	15,374	230,413
1822 " "	26,373	378,641
1823 " "	29,014	435,210
1824 " "	21,298	353,364
1825 " "	23,085	428,490
1826 " "	23,837	427,066
1827 " "	21,718	390,924
1828 " "	33,153	663,100
1829 " "	29,202	654,141
1830 " " estimated*	29,202	654,141

<i>Tons</i>	301,880	=	5,369,711 dollars.
Duties at \$9, the rate per law of 1816.			2,716,920

Gain in the treasury, at the expense of the foreign manufacturer \$2,652,791

STATEMENT E.

The following calculations were made by Hardman Phillips and George Valentine, esqrs. and are derived from the average returns submitted to the committee from two counties, (those most extensively engaged in the manufacture of iron in Pennsylvania), namely, Centre and Huntingdon, and have been carefully verified by a comparison with returns from 73 furnaces and 132 forges.

For each ton of bar iron and castings, made, the following agricultural produce is found to be consumed:

20 bushels wheat and rye, average at	75 cts.	\$15 00
57 lbs. pork	5 "	2 55
43 " beef	4 "	1 72
10 " butter	12 1/2 "	1 25
2 bushels potatoes	30 "	60
1/2 ton hay	7 "	3 50

For every ten tons of bar iron one horse is employed one whole year, worth \$100—and experience shews that the mortality among horses so employed is per annum one in seven, and constitutes a charge of, per ton of 1 43

For fruit and vegetables, of which no return has been made, we feel justified in putting down 1 00

\$27 55

Which multiplied by the quantity of bar iron and castings, will give the sum of 3,415,950 dollars, paid by the iron manufacturers and those employed by them, to the farmers.

The same returns enable them to state, that every five tons of iron, as above made, requires one able bodied man throughout the year, or, in the whole, 24,979; and, as it appears that, upon an average, each one of these has four dependent upon him, it follows that 124,895 persons are supported by this branch of industry, in its first stages; and the average of the wages of the workmen being fully one dollar per day, or say 300 per annum, they receive for wages, in the whole, the large sum of 7,493,700 dollars, for the labor of one year.

The expense of transporting this iron to the different markets, by land and water, may be estimated at an average of \$10 per ton—amounting to 1,248,940 dollars; the whole of which is distributed among those engaged in the transportation and coasting trade of the country, and sub-divided among those who furnish subsistence to the many persons employed, and in furnishing means for this branch of the business.

[*Since ascertained 30,973 tons—of which only 439 tons were British. The small amount of the latter importation, is the best possible evidence of the bad quality of English iron, as stated in subsequent pages, and of its unfitness for the usual purposes to which hammered iron is applied. All such iron pays the same duty.

Permanent Committee.]

STATEMENT F.

New York, 29th October, 1831.

To the committee on iron and steel, appointed by the convention of the friends of domestic industry, now in session in this city—

The following examination of the memorial of the workers of iron, and others, in Philadelphia, presented to congress in January, 1831, we submit to you for the use of the convention.

1st. Under their first head the memorialists embrace two subjects: first, the high duty on English iron, and secondly, its quality.

With respect to the rate of duty, we will answer when we review what is said on the same subject, under their 6th head.

With respect to its quality, the memorialists contradict the report of the committee of the senate,* which pronounced it "bad"—and say that "English iron is preferred for various purposes, on account of the decided superiority it possesses in various qualities—for its strength of cohesion, its excellence in welding, surpassing every other iron as in chains and anchors, in rails for railways, spikes and bolts; on account of the superior manner in which it is prepared in all the various forms required, as well as from its acknowledged superiority in durability; and for wheel tires for the same properties, as well as from the greater evenness with which it is always drawn,—and concludes by saying, that the American, Swedish, Russian and English iron all sell in the Philadelphia market at about \$100 per ton.

In answer to the above we would remark, that the small quantity of English iron imported, in comparison with the total imports of iron, itself confutes their statement as to its superior quality; and conclusively shows that the properties it possesses are not in great requisition here. The ratio of English iron imported, being less than 1 to 7, notwithstanding the advantage it has over other foreign iron of being procured of any size, and at a cost of 20 per cent. less.

The little use to which this iron is put will appear more manifest, when compared with the total quantity consumed—as will be seen by referring to our statement under our 6th head; being only 1-39 of the total consumption; and this too with its advantages as to size and price, above mentioned. These facts show incontestably in what repute this iron is held by consumers. We have been importers, and wholesale and retail dealers in the article, for many years, and our experience is,—that the united testimony of all consumers is in direct variance to the statement of the memorialists, as to its good quality: the low price and the convenient size in which it may be obtained, is, as a general remark, the only reason why it is sold at all.

The memorialists particularize for what purposes this iron is decidedly superior: first, as for chains and anchors on account of its strength and cohesion and excellence in welding. If it has more strength of cohesion than other iron, it is new to us, as well as to all the workers of iron, that we have enquired of on the subject. We have no facts before us of the strength of English iron; but we have a certificate from commodore Hull, commandant of the navy yard at Washington, giving the strength of chain iron lately supplied by the New Jersey Iron company. The 1½ inch round, broke with 60 tons weight on it, the 1-8 inch round, broke with 41 tons weight on it.† If the memorialists have any trials to show that English iron has more strength of cohesion than this, they are right; but we have no idea that the English iron sent to this country will bear any comparison with the above. As to its superiority in welding, we have enquired of several blacksmiths as to the facts—and they universally say, that American iron is better for welding. As to its being used for anchors in this country, we have made enquiries, and cannot ascertain that any is used for that purpose in the anchors that come to New York. It appears very strange that American iron for anchors should be sold at \$115 per ton, and preferred at that price, while English iron can be bought at \$72—if the English is superior.

With respect to its being superior for railways—we cannot conceive how the fact could be ascertained, as an experiment, we think, could not have been made, in this early stage of railways in this country. But as to its superiority for spikes and bolts, we positively deny it. Being sellers of both English and American iron, we know

*This refers to a report of a committee of the senate made at the previous session adverse to the memorialists.

†The proof required by government for 1½ inch round iron is 25 tons; for 1-8 inch round iron 16 tons.

that the American iron is always preferred, as to the its quality. The English is only used in small vessels of 70 tons and under; while in larger vessels the American iron, at 20 per cent. higher price, is universally preferred.

As to the "superior manner in which it is prepared in all the various forms required, we would reply—that the rolling mills in this country make all the sizes required quite as handsome, and far better in quality, than the English.

Lastly, with respect to its "superiority for wheel tires,"—the experience and information of the memorialists is in direct opposition to ours; nor can we conceive how persons would continue, for years, to purchase Swedish and American iron for that purpose as they do, at 25 per cent. higher price—if the English was superior. It is, without question, the poorest iron for that use that can be purchased, and is only used on account of its low price; which, instead of being \$5 per cwt. we sell by the single ton at 25 per cent. less, viz: \$3 75 per cwt.

2nd. The second head of the memorial speaks of the manner of making iron in England, which requires no answer.

3rd. Under this head the memorialists speak of the hardships of purchasing imported iron, of small size, at a high price—in consequence of the duty being 3½ cents per lb. on it. That difficulty is now in some measure removed, as one factory in New Jersey is prepared to supply the United States with a better article, and at less price, than it can be imported; and the rolling mills now erecting in different parts of the United States, will be able, from next spring, to furnish all the iron that pays a duty of 3½ cents per lb. at less price, and better quality, than it can be imported for.

The following statement will show the comparative price of common bar iron and ½ inch round in England, from 1806 to 1830.

Common bar iron, cost		½ inch round, cost	
1806	£20 10 0	1806	£27 0 0
1809	14 0 0	1809	18 0 0
1815	11 0 0	1815	16 0 0
1822	8 0 0	1822	10 6
1830	6 0 0	1830	7 0 0

From the above it appears that the cost in England, as late as 1806, of common bar iron was £20 10— and at the same time the price of ½ inch round was £. 27, or £6 10 higher, which is a greater difference than is now made by our rolling mills; and we do not doubt but that the difference in price between bar iron and small round, made by our mills, will be reduced as the quantity made is increased, and our factories become more perfect, as has been the case in England. From 1806 to the present time, the price of iron in England has been gradually reduced in proportion to the increase of the rolling mills, perfection of machinery and skill of workmen. The present difference between bar iron and ½ inch round is but £1 per ton.

The quantity made in England in	1787	was	30,000 tons.
	1796	"	130,000 "
	1830	" nearly	700,000 "

4th. Requires no answer.

5th, 6th, 7th. Under these heads, the memorialists state that the present rate of duties on the raw material being so much higher than on the manufactured article, gives a decided monopoly to the manufacturers of hardware at Sheffield and Birmingham, that many articles can be imported at or under the present cost of bar iron—that they "have no other object in the relief they now pray for, than to enable them to bring their own industry into fair and equal competition with the foreign manufacturer." Here rests, the whole ground of complaint of the memorialists, viz: on the inequality between the duty on what they call the raw material and on the manufactured article. In order to substantiate the above they instance a number of articles of hardware, which they endeavor to show can be imported cheaper than the raw material itself. We will first examine their statements of the articles particularized, and endeavor to show that they do not prove the point they wish to establish, and then show the true proportion between the duties on hardware and on the raw material; and we think it will be made to appear, that the manufacturers of hardware, in this country, instead of being less, are protected to a much greater extent than those of iron—which, if proved, will show that the whole ground of their complaint is without foundation. The first articles they instance are hammers and sledges for blacksmiths, which they say "are imported at \$4 66 per cwt. which is 35½ cents below the cost of the bar iron in this market, exclusive of duty." We have imported hammers and sledges regularly for many years. The

poorest article we ever heard of being sent to our market, cost $7\frac{1}{2}$ cents per lb.—those we import are of a quality fit for use, and cost $8\frac{1}{2}$ cents per lb. which is $\$9\ 25$ per cwt., while we sell English bar iron at retail, for $\$3\ 75$ —leaving a difference of $\$5\ 50$ per cwt. in favor of the manufacturer of these articles in this country. The next article they instance is wheel tire, which they say can be imported at less cost than bar iron. We have never known of its interfering with the sale of iron for that purpose. There has, indeed, been two lots of it imported into New York—but the house who had it, found a difficulty in selling it, and told us, to-day, that they would have no more.

The next article they advance is frying pans, and state that they are, and ever have been imported, at a less price than the cost of sheet iron, meaning to draw a comparison between the cost of iron in sheets and in its manufactured state. This comparison is evidently unfair, and calculated to deceive. Frying pans are not made of sheet iron only, but partly of sheet iron and partly of bar iron. We import the sheet iron part of frying pans, viz: the bowls, separate from the handles, and they cost, by an invoice dated January, 1831, 10 cents per lb. to import, while the sheet iron, in sheets, costs only 6 cents per lb. leaving a difference of 4 cents per lb. in favor of the sheet iron in a manufactured state. Frying pans, at the same time, cost 6 cents per lb. The next article presented by them is tea trays.—They state that tea trays, with one coat of japan, can be imported at $\$53\ 72$ per ton, while the iron required for the same purpose is selling at from 160 to 170 dollars per ton. We have imported tea trays for many years, and are totally unable to devise how this can be done. The largest tray ever imported, or, if imported would be used, is 30 by 22 inches; and the poorest article that we ever saw cost 52 cents each tray to import, and weighed 4 lbs. which is 13 cts. per lb. or $\$290$ per ton, instead of $\$53\ 72$, as stated by the memorialists. If tea trays were imported to cut up for stove doors, blowers, &c as stated in the memorial, the edges, which are turned up, must be cut off, or flattened to a plain surface. And unless the memorialists should be more successful than ourselves in an experiment made to ascertain whether it could be flattened out, as it was before it was made into a tray, that business would not amount to much. The smith into whose hands we put it, gave it its proper heat, and endeavored to flatten it under his hammer—but the edges burst and the iron cracked at the angles where it had been bent to form a rim; so we were convinced that the edges, or rims, must be cut off, which we had done for the sake of experiment, the weight of which was $1\frac{1}{4}$ lbs.—which, being only scrap iron, is not worth more than $\$25$ per ton, and this loss, added to the cost of the tray, would bring the iron imported in the shape of trays, suitable for other purposes, as follows—

One ton of trays as above, cost	\$291 00
Loss in rims cut off, 37 per cent.	109 00
Labor in cutting, one cent per tray	6 60
	<hr/> 405 60
Deduct $7\frac{1}{4}$ cwt. scrap iron worth $\$25$ per ton	9 38
	<hr/> \$396 22
Making the cost of sheet iron imported by this process, per ton,	<hr/> \$396 22

The cost of importing sheet iron of the thickness of tea trays is $\$135$ per ton, in stead of $\$160$ to 170 —as stated in the memorial. We do not say that what the memorialists state is untrue—but we do know the above statement to be correct, and cannot conceive how it could be reduced to $\$53\ 72$ per ton, when we make them to cost $\$396$ per ton.

The memorialists next show that iron knitting needles can be imported, cheaper than wire No. 18. This is true, because there is so little labor in cutting wire into knitting needles. The amount of this article sold per annum, we think, may amount to $\$200$ —two hundred dollars.

The memorialists next proceed to show that the duty on wrought nails precludes all possibility of competition between the domestic and foreign manufacturer. The fact about the nail making is, that the manufacture of nails (whether cut or wrought, it matters not) has been brought to such perfection in this country, that 40,000 tons are annually made here, while only 266 tons are imported.

The memorialists further state, that the duty on wire being high, operates against the manufacture of wire sieves and fenders. We think they are unhappy in their selection of these articles also, to prove their point—as from all the information we

are able to collect, there are no wire sieves nor fenders imported into New York—but that market is supplied exclusively by the domestic labor.

The next article they bring forward is horse shoes—which they say can be imported at the price of bar iron, and have become an article of import. This might have been said for many years past, as attempts have been made, from time to time, to import them to advantage—but all experiments, within our knowledge, have failed. We ourselves made the attempt about three years since—but could not do it to a profit; and are perfectly willing that others should purchase experience at the same cost. Common English iron would not answer for horse shoes. We have imported best English iron in bars for that purpose—but never could get any good enough. The American and Swedish are exclusively used.

The last article they instance is hoops for coopers, bent and rivetted, ready for use—which, they say, can be imported cheaper than the hoop iron. This may be true, for aught we know; but we have never heard of any having been imported, yet are in the practice of importing and selling hoop iron; and if there had been any competition from that quarter, we think we should have known it. For our part, we do not feel disposed to enter into the import of finished hoops, and it appears that others in the trade have a similar indisposition. We leave the reader to judge whether on the few articles they have selected to show that the manufactured article can be imported cheaper than the raw material, they have proved the point, which, if they have proved, would establish the principle as to a few articles only, and not on hardware in general.

We now proceed to show the true relative proportion between the duties on hardware and on the raw material. The memorialists say that "the duty on iron is from 159 to 282 per cent. or from 6 to 11 times the duty on hardware." When they say the duty on iron is from 159 to 282 per cent. they speak in such general terms as to convey the idea that the duty on iron, generally, is that much. We will first show what is the average duty on imported iron.

The quantity of iron annually imported, as stated by the memorialists, is as follows:

	Tons.	Duty per ton.	Total duty paid.	For 5 years past cost per ton, including duty.	Total cost including duty.
Swedish and Russian	29,486	\$22 40	\$660,486	95 00	2,801,170
English bar iron	3,332½	37 00	123,302	75 00	249,938
Sheet, rods, &c.	1,108	78 40	91,571	130 00	151,840
	33,986		\$875,359		\$3,202,948

By the above statement it appears that the average duty on all the iron annually imported, is less than \$26 per ton.

The following statement shows the annual consumption of iron in this country, as per report made to the convention of manufacturers of iron, lately held in Philadelphia.

In 1830 there was made at 202 furnaces	155,348
Of which was made into castings	28,273
Tons	127,075
Which rendered into bars, at 28 cwt. per ton, would yield	90,768
There was made of bloomed iron	5,853
Total bar iron made annually in the United States	96,621
Add the quantity imported	33,986
Annual consumption of bar iron, in the United States	130,007
Besides what is made from the blast furnaces into castings	28,273
Iron consumed in the United States annually	158,280

Though the duty on a small portion of the iron imported is high, yet, as we have shown that the average duty is less than \$26 per ton—while the proportion of the iron imported that pays \$37 per ton duty is less than one-seventh of the total im-

ports, though it sells at 20 per cent. less than any other iron, and that part which pays a duty of \$78 40 is only one-thirtieth of the entire importation.

But when we compare the quantity of iron consumed in this country that pays a duty of \$37 or \$78 40 per ton with the total consumption of bar iron, to say nothing about iron made into castings—it sinks into insignificance. The proportion of that paying \$37 duty being only 1-39th part, while that paying a duty of \$78 40 is only 1-112th part: to which if we add the iron made from the blast furnaces into castings, it will sink still lower.

In order to ascertain the actual duty paid per ton on iron, in the shape of hardware, we have taken an account of all our imports of hardware from June to November this year, as well as those of another hardware house for the same time, viz. Messrs. Hyers:—the result is as follows—

	cost sig.	tons and parts.	duty paid.	duty per ton.
G. & W. imports	£4,314	59 15 1 6	\$6,180 24	\$103 40
Heyers	5,710	69 19 1 4	7,112 02	104 50

The approximation of the duties paid per ton, by the Messrs. Heyers and ourselves, renders it certain that the above is as correct a view of the average duty paid on hardware as could be obtained*—from which we draw the following results:

There was imported of hardware in 1828--9 \$3,346,146

The duty upon which, estimated as paid in the two importations above mentioned, is 30 per cent. 1,003,843

The weight of which, taking the two imports above stated as the data, was 9,763 tons.

If the American manufacturer of hardware had his iron at the average rate duty paid on iron, it would have been, on 9,763 tons, at \$26 per ton 255,848

And he would have received a clear protection of \$749,995

That is, the importer of the manufactured article would have had to pay four times as much duty as the manufacturer who imported the raw material and worked it up here—or, if the manufacturer of hardware had imported his iron, and paid the duty as on English iron, of \$37 per ton, as calculated by the memorialists, he would have paid \$361,231

And received a clear protection of \$642,612

That is, the importer of the manufactured article would have had to pay nearly three times as much as the importer of the raw material, who worked it up here.

From the above statement of facts, the reader can judge how much weight should be given to what the memorialists say, as to the exclusive protection given to the raw material over the manufactured article.

8th. Under this head the memorialists recommend that pig iron should be admitted free of duty. They exhibit a calculation, to show that if pig iron was admitted free, that bar iron could be made here at \$40 per ton. We will examine the correctness of these statements upon their own ground. We imported a parcel of pigs from England about the time the memorial was written, and so have the expenses of importation, which are as follows: There are two iron districts in England—Wales and Staffordshire; we will take the price of a ton of pigs in Wales, as it is less there, and more favorable to the memorialists.

Cost of 1 ton pigs in Wales	£3 5 0
Freight and insurance to Liverpool	0 8 0
Charges at Liverpool	0 1 8
Export duty	0 0 4
2½ per commissions for purchasing	0 1 9
	3 16 9
Exchange, insurance, 8½ per cent.	0 6 6
Freight to New York	0 10 0
	£4 13 3

* It included every article usually imported, subject to specific as well as ad valorem duty, anvils, &c. &c. No part could probably be a more fair specimen of the whole imported.

	£4 13s. 3d. is \$20 70
Cartage in New York to store	30
Merchant's commission and storage 5½ per cent.	1 05
Transportation to nearest works	3 00
	25 25
28 cwt. to make 1 ton bar iron	10 11
	35 36
Cost of pigs to make 1 ton bars	10 00
200 bushels of charcoal to convert pigs into blooms, at 5 cents	7 00
Labor on do.	8 85
175 bushels of charcoal to convert blooms into bars	6
Labor on do.	3 00
Re-transportation to market	2 00
Water privileges, dam, and overseeing	
	\$71 21

Cost of bar iron made of imported pigs, free of duty, and this the memorialists say could be made for \$40 per ton, and if puddled, less. We have shown that it could not be done for any thing like the money with charcoal; neither could it be puddled, as we know by experience. The consequence of a repeal of the duty on pig iron would be, not that we could make bar iron here at \$40 per ton, but it would cost us \$71 21, which is more than we now pay for iron imported from England, made of the same material, and, in doing so, would destroy all the furnaces within the influence of the imported pig iron.

That pig iron could be imported, free of duty, cheaper than we can make it in this country with charcoal, is without question; but suppose it to be admitted free, what would be the consequence? From these pigs we could either make an iron that would suit our wants, or we could not. If it were good enough for general use, all the furnaces within the reach of its influence must stop, of course, because they would be undersold, the selling price of American pigs being from \$28 to 40. If it would not make a better article than we now import from England made of the same pig iron, we should not want more than we now take; for if the quality was adapted to our wants we would consume it now, its price being a sufficient inducement. By granting the prayers of the memorialists to admit pig, boiler, scrap, blooms, &c. free, and bar iron 25 per cent. ad val. duty, it is manifest that we must either substitute an inferior article of English iron in place of that made in this country; or, if we can make a better article from the pigs than they do, we will cause a considerable portion of our furnaces to stop, which would destroy more capital and throw out of employ more individuals than would be employed in manufacturing hardware, in very many years.

By granting the fourth, you would destroy those manufacturers of wire who have commenced since the tariff of 1823, in the faith of the government; one of whom told us that he can make this year wire enough to supply the United States, and sell it at a less price than it can be imported.

By granting the last, you would cut off all inducements to the manufacture of steel, which we think (and we have given the subject some investigation with a view to manufacture), can and will be successfully accomplished. Lastly, what would be the state of our country in case we had to depend upon a foreign supply for so necessary an article as iron, and especially when our main dependence would be upon England, who, in time of war, could blockade our ports, stop supplies, and cause greater evils than the nation we think is willing to expose itself to?

From the preceding statements it is manifest, that the quantity of iron manufactured in this country is not inconsiderable, as the memorialists call it— but is about four times as much as is imported in any shape, which is more than is made in any other country excepting England, more than 2½ times as much as is exported from Sweden, and as much as was made in England at the beginning of this century.

The amount annually manufactured in the United States is	tons 158,280
While the amount imported in bars, &c. is	33,968
Imported in hardware	9,763
	43,731

The value of American iron, as per report of the committee on the subject of iron appointed by the convention lately held in Philadelphia, is \$11,444,419

While the value of that imported in bars, &c. including the duty is \$3,202,948

Value of the iron in 9,763 tons, imported in the shape of hardware, estimated at the same rate as the above 678,670

\$3,881,618

From which it appears that the total quantity of iron imported in every shape, is about 1-4 of what is made here, and its value about 1-3

It is incumbent upon the memorialists to show whence we are to get a supply to meet the deficiency occasioned by the suspension of a large portion of our furnaces. For our part, we do not see how we could get a supply, unless we could make a better article out of English pigs, than they send to this country. Any one who is acquainted with the situation of Russia, with respect to the quantity we could get from thence, and the practicability, under the existing state of society and civil government, would think an increase of 10,000 tons a large calculation. Sweden exports only 50,000 tons per annum, that being the total quantity the law allows to be made for foreign consumption, as each factory is confined to a certain quantity in proportion to the wood land owned; and the wood land that is proximate enough to be used for iron making, has been brought into use for that purpose long since. Of that 50,000 tons we take 20,000, and a considerable portion of the remainder, say 10,000 tons (including the steel iron which the English monopolise), goes to England; the remaining 20,000 tons goes to the continent; so that we cannot get much more from thence without paying more for it than others can pay. But suppose we can get from Sweden an increased supply of 15,000 tons; there remains unsupplied yet upwards of 71,000 tons, which the memorialists will please inform us where to obtain, unless the price should advance enough to enable our own manufactories to go into operation again? In which case the proposed change would be of no avail.

We will conclude with showing the comparative value to the country of the present manufacture of iron and of hardware. If we should make all the hardware we consume and import the iron for it, as proposed by memorialists.

Made in the United States 158,230 tons iron value \$11,440,410

Total amount of hardware imported, value 3,346,146

The value of the 9,763 tons iron to be imported to make this hardware, would be, free duty \$90,520

2,955,626

They would, therefore, nearly destroy the manufacture of an article valued at \$11,440,410 to establish one valued at 2,955,626, even if we allow that all the hardware now consumed could be made in the United States.

We think we have proven in the foregoing statements—

1st. That the quality of English iron, instead of being good as the memorialists represent, is the worst iron in use.

2d. That the duty on iron in bars, &c. instead of being from 6 to 11 times higher than the duty on iron imported in the shape of hardware, as stated by the memorialists, is but 1-4 as high, inasmuch the average duty paid on iron in bars, rods, sheets, &c. is \$26, and that imported in the shape of hardware is \$104 per ton.

3rd. That the quantity and value of iron, actually manufactured in this country, is not insignificant in amount, as there is made here per annum 158,000 tons \$11,440,410 While that imported in the shape of bars and hardware is 43,731 tons, value, including the duty 3,881,618

And of course the statement made by the memorialists is not true, that there is only made in the United States 35,000 tons, and imported 81,000 tons.

4th. That by granting the prayer of the memorialists you would almost annihilate the manufacture of an article which has grown up under a protection to the value of \$11,440,410, to establish one of \$2,955,626. Yours respectfully,

GREEN & WETMORE.

STATEMENT G.

New York, October 31st, 1831.

B. B. HOWELL, ESQ.

Dear sir—In conformity with your request I herewith give you a statement of the iron produced in Litchfield county, Connecticut, with the manufactures of iron and steel, in said county; to which I have added the other productions of the county,

as estimated by the delegates to the convention from that county. It may not be perfectly accurate, as a portion of it is founded upon conjecture; but the total will rather fall short of than overrun the true amount, as a very considerable list of articles, each of small comparative value, are entirely omitted.

I am, very respectfully,

Your obedient servant,

JOHN M. HOLLEY.

	Value.		Value.
Pig and bar iron, &c.	\$293,000 00	Brought forward	\$451,700 00
Manufactures of iron &c.		Shoes and boots	112,000 00
Scythes	\$56,000 00	Carrriages and wagons	38,000 00
Hoes	7,150 00	Clocks	382,000 00
Axes	26,500 00	Leather	181,000 00
Rat and mouse traps	9,500 00	Cabinet work and chairs	27,000 00
Shoe tacks and sparsables	40,000 00	Cordage	500 00
Shovels and spades	6,500 00	Machinery, part wood and part iron and steel	19,000 00
Augers	200 00	Brick, clay furnaces and marble	38,200 00
Steel	8,000 00	Rakes and brooms	5,000 00
Pitchforks	20,000 00	Lime	5,000 00
Ploughs	3,800 00	Musical instruments	2,200 00
	\$177,650 00	Buttons	20,000 00
Other productions.		Cheese	115,000 00
Wool	\$151,000 00	Butter	17,600 00
Woollen cloths	215,000 00		
Cotton do.	15,000 00	Pig and bar iron	\$1,414,200 00
Hats	70,700 00	Manufactures of iron, &c.	293,000 00
			177,650 00
Carried forward	\$451,700 00	Total	\$1,884,850 00

STATEMENT H.

MANUFACTURES OF DELAWARE COUNTY,* PENNSYLVANIA.

To the delegates to the convention to be held at New York—

The committee appointed, in pursuance of a resolution adopted at a meeting of citizens of Delaware county, convened agreeably to public notice, in Chester, on the 17th inst. "to ascertain the number and extent of the different manufacturing establishments in the county; the quantity of manufactures produced; the quantity of raw material consumed; the number of hands employed," &c. &c. Report—That, from the short time to which they were necessarily limited, they have been unable to collect that full and complete information on the subjects committed to them which the importance of these interests require. But referring the delegates for more minute details of the distribution of our manufacturing and mechanical industry, to a printed report (a copy of which is enclosed), taken by Benjamin Pearson, esq. under the direction of a committee appointed for the purpose in 1826, your committee offer the following statement, made up of such details as they have been able to procure, in addition to their personal knowledge of facts, and they believe it will prove in the aggregate not far from correct.

JOHN P. CROZER, Chairman.

October 22, 1831.

*This small county contained 14,810 inhabitants in 1820.

[Per. Com.]

Mills and Factories.	Quality manufactured per annum.	Kind.	Value per annum.	Persons employed.*
4 Rolling and slitting	1,400 tons	300 tons sheet iron	\$45,000	206
2 Nail factories		600 „ nails	81,000	
4 Tilt mills		500 „ hoops	60,000	
13 Paper mills	41,000 reams	edge tools, spades and shovels	21,175	30
13 Cotton spinning		various	215,000	
3 Cotton weaving mills		yarn	300,000	
Woollen mills	800,000 of yarn into	ticking, muslin, &c.	350,000	400
	900,000 lbs. of wool	flannel and satinetts	300,000	550
Totals			\$1,372,175	2,186

STATEMENT I.

REPORT ON STEEL.

On the subject of steel, your committee reports, that, as no preparation whatever had been made for collecting information antecedent to this convention in New York, they are not able to supply it from any other source than what is attainable in this city. They have no time left for collecting and collating tabular statements, or statistical reports, of the quantity of steel imported, and manufactured in this country; nevertheless, enough information has been acquired in the course of a day, to satisfy the committee, that the article in question is one that requires the continued protection of government. The committee assume the principle, that, if steel can be manufactured now, or within a few years, to supply the wants of our own citizens at a reasonable price, it cannot be an object towards which the legislature will be indifferent, and it is deemed expedient that even the limited information now produced, should be disclosed, in order to encourage reflection and secure that consideration which the article of steel unquestionably merits.

Without seeking further, the members of your committee are enabled, from their recollection, to enumerate fourteen steel furnaces in the following places, viz.

Pittsburg 2; Baltimore 1; Philadelphia 3; New York 3; York county, Pa. 1; Troy 1 New Jersey 2; Boston 1.

These furnaces are known to be now in operation, and of a capacity sufficient to supply more than 1600 tons of steel, annually;† an amount equal to the whole importation of steel of every kind. But it should be observed that steel for common agricultural purposes, is not the best, although it is most used; and that American is quite equal to English steel, used for such purposes in England. American competition has excluded the British common blister steel altogether. The price of blister steel is less than it was before 1828, and probably as low as it ever will be:—certainly as low as it ought to be, having a just consideration for the manufacturer and his customer. The only steel now imported from Great Britain is of a different and better quality than that just mentioned. It has been the laudable pride of American legislation to advance with the increasing enterprise of the people, and to encourage discoveries of those mineral treasures, towards which that enterprise might be profitably directed. The committee having shown the result of such countenance from government in the instance of common blister steel, may be allowed, to anticipate the effects of its continuance; and that protection will be hereafter acknowledged as the parent of perfection.

*Including families.

† Mr. Coates has subsequently requested the chairman of the permanent committee to add the following note:

This calculation is believed to fall far short of the quantity of steel made in the United States. It appears that the 14 furnaces have only one batch, or blast, in a month—whereas two weeks are sufficient for conversion of iron into steel.

Steel imported here from all parts of the world, except England, (although the German steel is freely employed in some branches of manufactures) amounts, to so inconsiderable a quantity that the competition for ascendancy in our own market must rest between that nation and this. We already supply ourselves to her exclusion, with common steel, and to give some idea how extensively it effects our manufactures, the committee will state two or three striking facts. The iron of this country, when properly made, has been found equal in quality to the Russian and Swedish iron used in England for conversion into steel, and being so converted, is employed in making large and rough implements of manufacture and agriculture. It is used in the fabrication of plough shares; it is worked up by shovel makers, among whom one in Philadelphia uses more than fifty tons a year. Scythe makers are among the best customers of a steel furnace, and cross-cut and mill saw makers use more than any other manufacturers. One factory of this kind in Philadelphia, requires a ton and a half of steel *per diem*, for every working day of the year. These isolated instances may give some idea of the vast consumption of steel in the numerous factories of the United States, and for this purpose alone they are stated.

The English however, continue to supply us with the superior qualities. These are

1st. Blister steel, from iron of the Danamoura mines in Sweden.

2d. Sheer steel, of the same origin.

3d. Cast steel.

As to the first, being the best quality of blister steel. A house in Hull monopolises all the iron made from Danamoura ore, under a contract by which the parties in Sweden are to forfeit 10,000*l.* sterling, if they sell to any body else—so that no other European country can furnish a good file without resorting to England for the steel that is made of Danamoura iron; this excelling all others in Europe for files and many other instruments. The British manufacturers, aware of the advantages of their monopoly, continue to exact the same price for their steel delivered in America, that they did before the duty on the Swedish iron was reduced in England from 28 88 to 56 66 per ton—thus proving that an article whose low duty approaches nearest to no duty, (almost “free trade”) is charged to this country at a rate no less than before the reduction of duty took place in England.

It is, however, a cause for congratulation here, that iron of similar or equal quality to that which has thrown all the advantages of manufacturing the best articles of cutlery into British hands, has been made recently by improved processes from the ore of Juniata, and both sides of the line between New York and Connecticut. The latter denominated the Ancrum, the Livingston and the Salisbury ore. Steel is now made at Pittsburgh, and may be made in New York and Connecticut, bearing a fair comparison with the best good L (L) or Danamoura steel, that comes from England. No difference is observed where trials have been made without disclosing to the judges the origin of either. Two establishments, one in New York, and another in Pittsburgh, have justified this statement, and encouraged a hope that the products of our own mines, smelted by means of modern improvements in the construction of furnaces and application of the blast, and elaborated by machinery lately introduced, will rival the best quality of steel that England can furnish.

The second kind of first quality British steel is called “sheer steel.” This is nothing more than blister steel drawn under a tilt-hammer into bars of the various sizes used in the fabrication of some articles of cutlery, and the finer kinds of edge tools. England has hitherto monopolised this branch also, from being in possession of the only European steel that would bear the expense of preparation; and from the perfection of her machinery. She has now the honor of transferring a portion of her experience and skill to the United States. Her workmen in steel, wanting employment or adequate recompense for labor at home, continually seek them among us; and it is believed that these may be afforded to such an extent as to yield them support commensurate with their industry—and that ingenious men, who, under other circumstances might have been compelled to pursuits not congenial with their education, or to be dependents upon public bounty, will become useful citizens, instead of idlers and beggars in the land.

The third kind of steel, best quality, is called “cast steel,” and this is made from the best blister steel, only. There is none made in the United States. Several attempts to make it with profit, have proved unfortunate.

The causes of failure were—

First—The want of best quality blister steel (of which only it can be made), at a reasonable price.

Second—The want, or expense, of crucibles of proper quality, wherein the blister-steel is to be melted and smelted.

The first difficulty may be surmounted by the discovery that iron, well made from the ores of Juniata, New York and Connecticut, may be converted to the best blister-steel: and the second difficulty is believed to be at an end, since the explorations of the present year have disclosed the existence of clay analogous to that of Stroubridge, which is considered the best in the world for crucibles. Centre, Clearfield and Lycoming counties, (Pennsylvania), have yielded large specimens of clay that satisfy geologists, mineralogists and chemists, of the identity of its properties with those of Stroubridge. Clay, in the vicinity of Baltimore, has been successfully employed in the manufacture of fire brick, and may probably be used for the manufacture of crucibles for cast steel, if properly prepared. The great impediments to the making of cast steel has not arisen from any mystery in the art, but the want of strength in the crucibles. Black lead, and a variety of clays, have been tried, but the weakness of these materials have hitherto caused a loss to the manufacturer, because the crucibles made of them would not bear moving when the melted metal was in them, (generally about 28 lbs.) The Stroubridge was the only kind of clay that possessed the requisite qualities of preserving its shape and soundness when exposed to the greatest heat, and its strength and tenacity when moved for the purpose of discharging the melted metal. Capital, enterprise and perseverance will be engaged to bring this desirable material, so indispensable to the finer arts of cutlery and machinery, into market—if protection be continued to the efforts which our citizens are willing to make.

If these views are correct—we have steel for agricultural purposes in the greatest abundance:—We have steel, (sheer steel), for nicer purposes, and we may cast steel for the most refined articles of manufacture, among ourselves. But this is not all, we may export our steel to Russia, Prussia and France, in competition with England herself; and thus justify the further importation of foreign commodities which we can have the means of paying for. The subject of steel becomes more interesting as our investigation of it advances; but it is believed that the facts and inferences now set forth, will suffice to continue the protection already granted, and to procure time for more extensive practical developement, which, if realized, will add to the means of domestic employment and beneficial intercourse with foreign nations.

[The preceding report on steel was presented by Mr. John R. Coates, of Philadelphia, to whom this branch of the subject had been specially referred, for a collection and arrangement of the facts; as was that on iron, proper, to Mr. B. B. Howell, of New York, by the general committee on the manufactures of iron.]

GENERAL RECAPITULATION.

[By the Permanent Committee.]

	By the re- port.	Supplemen- tary returns.	Total
Bar iron made in the United States, tons.	96,621	16,245	112,866
Pig iron, the whole quantity made being computed as such "	163,542	27,994	191,536
Value dollars.	- - -	- - -	13,329,760
Men employed number.	24,979	- - -	29,254
Persons subsisted "	124,895	- - -	146,273
Annual wages dollars.	7,493,700	- - -	8,776,420
Paid for food furnished by farmers "	3,415,850	- - -	4,000,480

FRAUDS ON THE REVENUE.

The committee, to whom was referred, the resolution "to inquire and report upon any evasion of the existing revenue laws,"

RESPECTFULLY REPORT:

That, in attending to that duty, they have found a difficulty in obtaining as complete a statement of facts, as it is desirable to present. Full and satisfactory evidence, has, however, been produced, to satisfy their minds of the existence of extensive frauds; but from the nature of the subject entrusted to them, few facilities were afforded to substantiate, at this time, by direct testimony, all the various devices which are resorted to for the purposes of evading the payment of the full amount of duties established by law. On application, by letter, addressed to the appraisers in this city, by your committee, for such evidence as they possessed,—these officers refused to furnish it, except under instructions from the secretary of the treasury:—but their application to the collector met with more favor, their inquiries having been promptly and satisfactorily replied to by that officer.

The principal evasions of the revenue laws have been made in the importation of broad cloths. By the law of 1828, every yard of imported woollen cloth, six quarters wide, costing six shillings and nine pence, sterling, may be legally entered at the dollar minimum. Every yard 6-4 wide, costing more than 6s. 9d. sterling, and not exceeding 16s. 10d. must, in conformity to that act, be entered at the two dollars and fifty cents minimum. In the first case the duty is 67½ cents per running yard—in the second case the duty is \$1 67½ cents. This part of the law is thus particularly stated, in order to show the manner in which it is evaded. The law of 1830, passed expressly for the purpose of enforcing that of 1828, has hitherto but partially effected that object; it has been the means of developing the extent of the evil, rather than of arresting it.

This has been owing, in some degree, to the American opponents of the protective system—who have endeavoured to render that law as odious as possible; in which they have received material aid from those foreigners who are extensively engaged in importing—and from the agents of foreign manufacturers resident in this city. Some of the journals, opposed to protection, have also lent their aid to disparage the law; denying the existence of frauds, and thereby rendering the execution of it unpopular. Even some of the persons whose duty it was to enforce the law, joined in the cry that it was oppressive, and spoke openly of it as iniquitous and unjust.

Your committee are informed, and believe, that four-fifths of all the importations of dry goods into this port are on foreign account; and in the particular article of woollen cloths, seven-eighths of the whole amount are thus imported.

The value of the importations of broad cloths by four of these foreign agents, amounted, in the last twelve months, to one million and a half of dollars. Either from the force of public opinion, that no frauds existed, or from the ingenuity and management of those who committed them, but few frauds were discovered during the first year of the operation of the law of 1830. But little variation from the former practice of sending cloths to the public stores for appraisement, was adopted by the collector of this port. As formerly, and in general, only one package out of each invoice was sent for examination—which package, your committee believe, was properly examined; but singular as it may appear, that one package of cloths was generally invoiced at a price which made it liable to the duty on the two

dollars and fifty cents minimum—at which price there was little or no inducement to defraud, since cloths, costing and entered under that minimum, are consumed in much smaller quantities, and because these must produce, on the average, five dollars per yard to pay cost of importation.

It is obvious from this circumstance, that the attempts at fraud were almost wholly confined to cloths at the lower, or one dollar minimum,—few of which were sent to the public stores for examination. To explain this more fully, it is important to state, that invoices were made up abroad to complete this mode of evading the examination of the cloths at the dollar minimum, by sending to the consignee, here, one case in each invoice of the higher priced cloths already named, or one that was fairly charged at 6s. 9d. and managing to have that alone selected as the one case out of the invoice to be sent to the public store, in compliance with the law and the practice above mentioned:—keeping back the other packages which, although invoiced at a price that would admit them to entry at the one dollar minimum, but which had actually cost from 20 to 50 per cent. higher, and ought to have paid duty on the two dollars and a half minimum. Thus it has been ascertained, that, in six months immediately preceding the first of April last, one foreign concern entered, at the custom house in this port, more than four thousand pieces, or about eighty thousand yards of broad cloths, which, with the exception of about three hundred pieces, were entered at a value, per invoice, not exceeding 6s. 9d. sterling, and those, for want of a thorough examination, were allowed to be entered at the one dollar minimum. These cloths produced, in this market, from three dollars and a quarter to four dollars and a quarter, per yard; while cloths, honestly invoiced and legally entered at the one dollar minimum, it is well known, did not bring more than from two dollars seven-fifths cents, to three dollars per yard—thus satisfying your committee that the government must have been defrauded of more than thirty thousand dollars on these importations;—and proving that the cloths which were sold at from three and a quarter to four and a quarter dollars per yard, were fraudulently introduced into the country: unless we are willing to admit the absurdity, that this market was kept fully supplied with cloths during a whole season, either at an enormous loss to the importer, or else at an extravagant profit, varying from thirty to seventy-five per cent.

Your committee are the better satisfied of the fact that these cloths were fraudulently entered, from the knowledge they have obtained, that, as soon as they were put into the possession of the parties entering them, all the marks and numbers by which they might be identified, were generally removed. In a late instance, a number of pieces of cloths were seized in an auction store in this city, under information given to the collector that they had been falsely entered; and when they were examined, it was found that the original marks and numbers, by which they might have been identified, had been taken off and others substituted. What the object of such practices are, your committee leave the public to judge. In further proof of this allegation, the collector of this port, being fully convinced that these modes of evading the revenue laws were carried on to a great extent, and being urged to adopt, as the only method of correcting the evil, the examination of entire invoices, has, during the last five or six months, caused all the cloths invoiced and attempted to be passed at the dollar minimum, to be sent to the public stores for examination:—the result of which has been, that about three thousand pieces of these cloths have been adjudged by the appraisers

to have been undervalued, and to have cost from 7s. 6d. to 8s. sterling; consequently rendering them liable to the duty on the two dollars and a half minimum:—and, extraordinary as the fact is, in all but a few cases, the importers, after detection, have been permitted to enter their goods on paying only the duty under the advanced minimum, instead of being subjected to forfeiture, according to law.

One house, alone, has paid about fifteen thousand dollars additional duties on cloths thus put up; others five and six thousand dollars,—others smaller amounts; and only the very trifling and inconsiderable amount of about a dozen packages, during the past year, has been libelled,—and but one adjudicated on, which was condemned. Your committee feel themselves bound to express, in the strongest terms, their disapprobation of such an execution of the laws. Can stronger evidence be adduced of the intent to defraud the revenue by such importers, than the fact, that they will do pay, when so detected, one dollar and sixty-seven and a half cents the running yard duty on cloths, which they have just sworn that the cost in England entitled to entry at 67½ cents per yard?

Your committee not only believe the intent to defraud the revenue is thus apparent—but they are further convinced, that ~~revenue~~ is thus frequently committed with the greatest impunity!

Your committee take the liberty of pursuing this particular subject a little further. The investigations made have convinced them, that, notwithstanding the quantity of cloths thus found undervalued by the appraisers and put up by them, to the next highest minimum was very great; yet many hundreds, if not thousands of pieces have been allowed to pass as correct, in consequence of the standard of value, at the custom house, of the dollar minimum cloths being from 6d. to 2s. sterling per yard, below the value of said cloths, in the market from whence they came. This has been (as your committee believe), one of the principal causes why the collector has preferred the course of enforcing the payment of the extra duty of one dollar the yard, rather than libelling, and taking the risk of condemnation, when the appraisers had only estimated them at 6d. or 1s sterling undercharged;—although, in fact, from 2s. to 4s. sterling undercharged; and had they been so put up, by the appraisers, the intent to defraud would have been so manifest that there could have been no hesitation, on the part of the collector, to libel; but as, in most instances, they were only raised a few pence, the intent to defraud was less visible, and might not, in his opinion, be sufficient to be relied on for condemnation.

Among the evidences that have produced conviction on the minds of your committee, that the statements above made are true, the following are submitted:

In May last, two of your committee, with one of the most extensive American importing merchants, made application to the collector of the port, to be shown any cloths that were then in the public stores, that had been stopped by the appraisers as undervalued—he promptly and politely acceded to their request, and accompanied them to the stores where a number of bales were shown to them, and they examined five or six, which they estimated to have cost as follows:

1	package	7s. 9d.	to	10s.
1	"	8s.	"	10s. 6d.
1	"	9s.	"	9s. 6d.
2	"	10s.	"	10s. 6d.

Supposing that, as the appraisers are bound by law to estimate the value of the cloths in each package, by the best piece in it, and as the whole were much

above the standard of the dollar minimum cloths, or 6s. 9d. and the best pieces full fifty per cent. higher, they took it for granted that all would be libelled and condemned. It has, however, now come to the knowledge of your committee, that none of them were libelled (although all of them were marked up, as they were estimated by the appraisers to have cost but 7s. 6d. except one which was estimated at 7s. 9d.) and the whole were permitted to be entered and the duties paid, under the two dollar and fifty cents minimum. Here is, certainly, a very strong case, proving the very low standard by which the appraisers must have been governed, it being from 2s. 6d. to 3s. per yard, (nearly fifty per cent), below the judgment of one of the most extensive American importers in the United States. The appraisers being bound by law to take the best piece in the package as the value of the whole; but there were two packages, in which there was but little variation of price, estimated as above at 10s. to 10s. 6d. the yard, which the appraisers only rated at 7s. 6d. to 7s. 9d.

Stronger presumptive evidence could not readily be adduced, that the prices affixed to the above named cloths by the appraisers, were much lower than their actual cost. It is not probable that the mere difference of 9d. sterling the yard, which brought them under the higher minimum and subjected them to the payment of one dollar the yard additional duty, would have been submitted to by all the consignees or owners, when they could have been returned to England, from whence they came (as has been permitted, though contrary to law), at a much less loss than to have paid the extra duty and sold them here—as 6s. 9d. cloth would pay cost and all expenses of importation, if it brought two dollars and seventy-five cents per yard; but a 7s. 6d. cloth (and only 9d. more cost), if entered according to law, must bring four dollars the yard to pay the cost and charges. That it would not bring any such price, by at least seventy-five cents the yard, is well known to all buyers;—the loss would therefore be seventy-five cents the yard.

If a cloth that cost in England 9s. to 10s. is only estimated by the appraisers at 7s. 6d., it is a fair, and in the opinion of your committee, a pretty conclusive evidence, that the cloths that really cost 7s. 6d. to 8s. and invoiced at 6s. 9d. would be allowed an entry at that price, without being detected; and that they have been, in hundreds of instances, there is not a shadow of doubt, or this market would not have been so liberally supplied with cloths selling at from three to three and a half dollars per yard.

Your committee deem it important to state further, that, in their opinion, the greater part of the cloths which have been raised by the appraisers from about 6s. 9d. the dollar minimum, to from 7s. 6d. to 8s. have subsequently been allowed an entry by the officers of the revenue, at the two dollars and a half minimum, have been admitted to entry in direct violation of the law of 1830.

This opinion seems fully confirmed by the circumstance, that, although this mode of raising the valuation of them was allowed by the law of 1823, that law subjected the cloths to fifty per cent. additional duty, while the law of 1830, in doing away this provision of the law of 1823, evidently substitutes seizure and confiscation in case fraud shall be detected. It is evident that so long as the practice prevails of only marking up goods that are found undervalued, the greatest possible inducements are held out to attempt frauds; since, in case of discovery, the party attempting fraud is not placed in a worse situation, after being detected, than he would have been in, had he honestly complied with the law. In either case, he would only pay the duty to which cloths are lawfully subjected. While this laxity in the admini-

nistration of the law prevails, attempts will be continued to evade it.

That the evil now exists is established by the fact that, of the numerous cases in which attempts to enter goods at an under valuation have been detected by the appraisers, but in a few instances, as before remarked, have the goods been labelled; and, in but one instance, have the penalties of the law, by forfeiture been enforced.

While the statements already made by your committee, prove the great cause they have to complain of the manner in which the revenue laws have been administered, another cause of complaint arises from the established mode of computing the rate of duty. By instructions from the treasury department issued to collectors, immediately after the tariff law of 1828 went into operation, the duties which by that act were required to be assessed on woollen goods were diminished, and the practice of charging a less amount of duty than is required by law, has been continued to the present day. In the attempt to find analogy between those sections of the law which impose duties on cotton cloths, the secretary of the treasury gave what your committee deem an erroneous construction to the law.

The terms of the law are explicit, and require the collection of forty-five per centum *ad valorem* on the several minimum valuations which it establishes, and it goes on further to state, that, on all *ad valorem* duties, 10 per cent. additional shall be added thereto, if the importations are on this side the Cape of Good Hope, and twenty per cent. additional if beyond it. But the practice has been, under this false construction of the law, to omit this addition of ten or twenty per cent. intended to be levied, thus abandoning the *ad valorem* principle, as relates to woollen goods, whilst adhering to the principle on the raw material, wool. As the duties are now levied, *wool pays sixty-five per cent., and cloths forty-five.*

The late secretary of the treasury, not being satisfied with the construction which had been given to the law by his immediate predecessor in office, as related to the ten per cent., made a report to congress in which he suggested the propriety of a declaratory act on the subject, by that body.—The committee do not perceive the necessity of legislative instruction on this point, as the secretary of the treasury is bound to administer the law according to the meaning of the terms in which it is expressed. The evil of the present construction of the law is so great, and, in the opinion of your committee, the construction given so erroneous, that they cannot but hope that the interpretation which to them seems correct, may also soon be adopted by the present secretary of the treasury.

In respect to frauds on the importations of silk goods, a description of merchandise of small bulk, extensive variety and great value, according to the statements made to your committee by respectable American importers, great evasions of the revenue laws have also taken place; but as the prices of the various fabrics of silk, so essentially depend on the peculiar diversities of fashion and manufacture, it is more difficult to ascertain the actual cost, or market value, of such fabrics in foreign markets, than of any other of the staple imports of the country.

From the collector, as well as many other highly respectable individuals of this city, your committee are informed of numerous and extensive evasions of the revenue laws in the importation of iron. By a trifling variation in the form of the imported article, or under the names of scrap iron, railing, palisading, &c. large quantities of iron have been introduced, which paid a duty of only eight or ten dollars per ton, when the duty, as it has been stated,

would have been as high as from thirty-seven to seventy-eight dollars per ton, if it were imported under the proper names of rolled or hammered iron, braziers' rods, &c.

It has appeared to your committee, that a public inquiry, by order of congress, into the mode of administering the revenue laws at the different custom houses, would afford such information as to lead to the enforcement and better execution of the laws. No seaport of this country has afforded so favorable an opportunity for executing fraudulent designs as the city of New York, where from twenty to thirty ships, from foreign ports, frequently arrive in the course of one week, and greater expedition is demanded in their unloading, and passing their entries through the custom house, than is consistent (as at present organized), with the just and careful execution of the revenue laws. Many entries, your committee believe, are made out with fraudulent intent, and the amounts carried out designedly wrong, in the expectation that in the hurry in which they are passed, they may escape detection.

All of which is respectfully submitted.

PETER H. SCHENCK, chairman.

New York, November, 1831.

The committee on frauds consisted of Messrs. P. H. Schenck, E. Elsworth, and J. B. Murray, of New York; J. B. Brown, of Boston; Z. Allen, of Providence; L. Waln and B. Reeves, of Philadelphia, and J. T. Barr, of Baltimore.

MANUFACTURE OF HATS.

Mr. Crolius from the committee appointed "on the subject of the manufacture of hats, and the materials used in the production of the same"—

REPORTED:

That, although the committee had been able in so short a time, to collect all the materials which so extended a branch of manufacture requires that its importance may be made manifest to this convention and the people of the United States, they ask leave to present the following summary views, which, they are entirely satisfied from the testimony before them, are within the amount of production and employment caused by this manufacture.

The home consumption of hats made in the United States, is per annum, equal to	\$10,000,000
Exported	500,000
	<hr/>
	\$10,500,000

Say, ten millions five hundred thousand dollars, as the annual value of the manufacture of hats.

And, on the information of practical men, extensively engaged in this business, they have reached the conclusion, that eighteen thousand persons are directly employed in this business, viz:—

15,000 men and boys,
3,000 women.

18,000

Who receive, in money, paid for their labor, the sum of four millions, two hundred thousand dollars a year—4,200,000.

The materials used in the manufacture of hats consist of wool, of various qualities, and of furs, which are of domestic and foreign production; also gums shellac and seed lac, glue, sulphuric and nitric acids, coppers, verdigris and dye woods—with trimmings of leather, cloth and silk, of foreign or domestic manufacture.

It is now about thirty years since the first duty was laid on imported hats; and since that time, (that

the domestic manufacture might be encouraged and thereby established), the original duty has been considerably increased, by which American hatters were first enabled to make a stand against foreign manufacturers, and finally to drive them out of the market, by furnishing better and cheaper hats than the people of the United States had been supplied with, before an adequate protection was afforded in the duty levied on hats; the exports of which now make a handsome item in the treasury statements. A foreign hat is rarely seen in our country, except in the use of persons just arrived from foreign places, because of the imposing fact, that American hats, regard being had to their quality, are manufactured at a less price than must be paid for them elsewhere. Such are the results of protection extended to the hatters of the United States, that it directly employs 18,000 persons, who earn in wages 4,200,000 dollars, or, at an average of nearly 240 dollars for every person, per annum—and subsists, in the whole, from 50 to 60,000 individuals; and all this, while the consumer receives a better article at a reduced price.

But, to guard against foreign speculators and excessive supplies of foreign hats, your committee consider it essential to the interests of American consumers as well as manufacturers of hats, that the present duty should be fully maintained. Though not very high in its amount, it is effective in its operation, and the consequences have been as just stated—the principle of which your committee believe is equally applicable to other important branches of domestic industry: But do away that protection, and the irregularity on the home market would throw thousands of hatters out of employment, who, with their families, are now comfortably subsisted by the labor of their hands.

The committee would in conclusion remark, that the duty on foreign wool (which is extensively used by them, certain kinds being much better fitted for the manufacture of hats than our own), is equal to 65 per cent. on its cost, while the duty on hats is only 30 per cent., and the excess duty on wool, so far as it goes, has an injurious effect; they therefore would suggest such increase of duty on hats, and especially on hat-bodies or hat-felts, made in whole or in part of wool, as may meet the duty imposed on the material used—which they believe would be advantageous to the American people in general. All which is respectfully submitted.

CLARKSON CROLIUS, chairman.

The manufacture of caps is also a very extensive and important interest in the United States. There is one factory at Albany which, in dressing and preparing furs and skins, and in the making of caps, employs about six hundred persons, on an average, throughout the year, and pays out 2,000 dollars in weekly wages, or 100,000 dollars per annum, for labor only. There are two or three other factories of such articles at Albany—and several in other places.

The whole value of the manufacture of hats and caps in the United States, (for men's wear) may be put down as equal to about \$15,000,000—fifteen millions of dollars a year. [Permanent committee.

ON THE MANUFACTURE OF SALT.

The committee on the manufacture of salt, beg leave to REPORT—

A

A statement showing the condition of the salt business in the United States, in 1829 and 1830.

STATES.	Fixed capital, lands, fixtures, tools, &c.	No. of bushels annually produced.	Average cost per bushel.	Average price per bushel of the market.	Cost of water per bushel.	Probable quantity of weight from used per annum.	Probable quantity of cost from used per annum.
	Dollars.	Bushels.		Cents.		Tons.	Tons.
Maine	22,000	90,000		37 1/2			
N. Hampshire	3,000	1,300		40 a 50			
Massachusetts	1,734,370	507,339		39 a 48			
Rhode Island	3,400	1,600		40			
Connecticut	8,000	2,000		43			
New York	3,077,000	1,291,328		45	45		
New Jersey	7,000	7,000		50 a 75			
Pennsylvania	400,500	600,000	38			15	46
Delaware	3,250	7,500		30			
Maryland	20,000	50,000		45			
Virginia	1,000,000	1,051,000		37 1/2	70	50	4700
North Carolina	60,500	31,850		30 a 75			
South Carolina	9,000	3,000		80			
Ohio	314,702	440,350		37 a 50	95	29	60
Kentucky	150,000	137,200		50 a 75	95	20	45
Tennessee	3,000	3,500		75 a 100			
Alabama	3,000	4,000		40 a 75			
Illinois	53,000	138,000		40 a 75	80	2	35
Arkansas	3,000	10,000		75 a 100	80		
Florida		4,600					
Indiana	7,800			125			
Missouri							
	6,064,988	4,644,920				136	397

Key West is a new source for the production of salt. Ponds have been made, the production of which, in a year or two, will supply, if the expectations of the owners are not greatly disappointed, from five to eight hundred thousand bushels per year.

B.

Prices of Salt in the city of New York.

Year.	Turks Island.
	cents.
1806	62 1/2
1807	50 a 55
1808	60 72 a 100
1809, '10, '11 and '12	75 a
1813	100
1814	fine #2 a 2 75 per bushel.
1815	various.
1816	65 a 70
1817	60 a 62
1818	68 a 70
1821	58
1824	53 a 55
1825	50
1826	49 a 50
1827	55 a 57
1828	48 a 50
1829	47 a 48
1830	42 a 45
1831, October 29,	58

[This table, as reported by the committee, contained returns of the prices of Liverpool and Lisbon salt, in a few of the years stated; but as that of Turks Island is complete for every year, and is, itself, the best scale whereby to form a correct judgment of the value of salt, we have taken it alone—and it is fully sufficient for the purposes intended.]—Per. Com.

* To many of the wells is annexed a steam engine of about two tons weight.

† From 1808 to 1815 inclusive, the foreign commerce of the United States was much interrupted by European orders and decrees, with our embargo and non-intercourse laws, and the war; and the prices in those years are not intended to come into an exact and fair comparison—though it was proper to state them. Early in 1815 the price at Baltimore was as high, for some time, as six dollars per bushel.

Per. Committee.

ON THE MANUFACTURE OF SALT.

37

C.

Salt imported into the United States from the 1st of September, 1825, to the 30th of September, 1826, and from the 1st of October, 1828, to the 30th of September, 1829.

WHENCE IMPORTED.	From Oct. 1, 1826, to Sept. 30, 1826.			From Oct. 1, 1828, to Sept. 30, 1829.		
	Quantity bushels.	Value dollars.	Cost cents.	Quantity bushels.	Value dollars.	Cost cents.
Swedish West Indies	6,432	1,227	18.6	2,129	212	10.0
Danish West Indies	4,658	451	10.3	171,126	13,770	8.6
Dutch do. and American colonies	58,508	6,167	11.5	68,221	6,902	10.1
England	2,354,549	429,932	18.3	2,985,215	455,743	15.3
Ireland	50,666	11,947	13.2	60,901	11,470	18.8
Gibraltar	68,773	8,090	11.8	49,162	5,133	10.4
British West Indies	919,905	108,304	11.1	1,068,581	98,143	9.2
British American colonies	33,903	6,484	16.3	2,350	1,191	50.0
Han towns and ports of Germany	5	2	40.0			
French European ports on the Mediterranean	15,862	1,493	9.4	49,640	4,278	8.7
French West India and American colonies	2,412	402	16.7			
Other French ports	9,759	1,052	10.8			
Spain on the Atlantic	65,756	5,279	9.0	172,214	12,658	7
Spain on the Mediterranean	20,050	1,892	9.4	113,100	7,286	6.4
Cuba	6,334	795	12.6	17,363	1,498	8.6
Other Spanish West Indies	2,165	373	13.5	9,432	800	8.5
Portugal	749,674	84,166	11.2	1,000,615	81,376	8.2
Italy and Malta	12,591	994	7.9	69,090	4,149	6
Trieste and other Austrian ports	8,673	553	6.4			
Colombia	3,348	1,000	29.9			
Brazil	7,750	1,011	13.1	7,856	879	11.2
Europe generally	6,861	1,044	15.2			
Africa generally	1,367	261	19.1			
South Seas	1,686	115	10.6			
Hayti				1,400	200	41.3
Madeira				21,950	1,850	4.4
Fayal and other Azores				4,422	480	10.8
Cape de Verd Islands				41,337	4,171	10
Turkey, Levant and Egypt				28,961	2,125	7.3
West Indies generally				4,102	324	7.1
Total	4,564,720	667,058		5,945,547	714,618	

	1826.	Year.	Bush. imp.	Duties.
Great Britain and her dependencies	5,533,796 cost 564,757	From 1st Jan. to 31st Dec. 1796	3,670,077	443,550
From all other places	1,030,924 " 102,201	do 1797	2,977,902	391,134
		do 1798	2,755,534	544,206
		do 1799	2,513,411	488,617
	4,564,720 667,058	do 1800	3,421,819	687,387
From England and her dependencies beyond the amount received from all other places	2,502,872 462,456	do 1801	3,608,948	686,454
		do 1802	3,872,905	702,838
		do 1803	3,542,872	721,355
		do 1804	3,433,996	686,799
		do 1805	3,782,328	765,804
		do 1806	4,262,704	862,694
		do 1807	597,033	731,508
		do 1808	48,954	6,017
		do 1809	360	42
		do 1814*	379,112	75,802
		do 1815	4,311,763	855,449
		do 1816	5,367,470	1,076,933
		do 1817	2,975,995	594,496
		do 1818	3,557,625	714,466
		do 1819	3,823,310	765,537
		do 1820	4,010,569	803,913
		do 1821	3,121,847	624,369
		do 1822	3,538,323	707,664
		do 1823	4,449,740	889,948
		do 1824	3,092,092	618,410
		do 1825	4,578,538	915,707
		do 1826	4,564,720	912,944
		do 1827	4,320,535	
		do 1828	3,962,957	
		do 1829	5,945,547	1,188,109
		do 1830	5,374,046	
		do 1831	5,500,000 estimated.	

D.
Abstract, shewing the quantity of salt imported into the United States, from the commencement of the government, to the 30th of September, 1829.

	Year.	Bush. imp.	Duties.
From the commencement of government to 31st December	1791	5,257,456	630,895
From 1st Jan. to 31st Dec.	1792	1,779,510	213,341
do	1793	2,027,332	247,622
do	1794	2,958,411	361,128
do	1795	2,823,718	345,770

* No duties having been collected during the omitted years, no means exist of ascertaining the quantity imported.

E.
An exhibit of the quantity of salt imported into the United States in 1826 and 1829; also the quantity re-shipped during the same, with the quantity of salt manufactured in the United States in those years.

	Bushels.
Imported from the 1st of October, 1825, to the 30th September, 1826,	4,564,720
Re-shipped during the same period	30,680
Consumed	4,534,040
Quantity of salt manufactured in the United States in 1826, taken from document No. 47, of the senate, printed January 21st, 1828,	4,113,000
Total	8,647,040
From the treasury report of the 5th of February, 1829, the importations of the year ending the 30th of September, amounted to	5,945,547
Re-shipped during the same period	44 390
	5 901,157
Quantity of salt manufactured in the United States in 1829, as shewn by table A.	4,444,929
Total	10,346,086
F.	

The importations of 1831 is estimated at about five and a half millions of bushels. By comparing the present price of salt, with a duty of 10 cents per bushel, it will clearly be seen, that the consumer was supplied with this important and necessary article of consumption, taking the years 1824 to 1830, at 50 cents, when the duty was 20 cents per bushel. By the prices current of the present year at a duty of 10 cents, the consumer will pay an advance of 20 per cent. See B. This establishes one plain fact, that instead of the reduction of the duty on salt, supplying the citizens of the United States at a lower rate, it has had the effect, from the vacillating policy of the government, to discourage the necessary exertions of those who are concerned in this important branch of American industry, which, of course, has produced the difference in price. Your committee think they hazard nothing in saying that if the duty on salt was entirely taken off, the price would increase in the ratio of the present year, to at least seventy-four cents per bushel, as in former years when no duty existed.

G.

As a source of revenue, and as an encouragement to the domestic manufacture, the first congress which assembled under our present constitution were induced, on the 20th July, 1789, to pass an act imposing a duty of six cents per bushel on salt imported into these United States. At the next session, 1790, it was increased to 12 cents per bushel.

These enactments operated as a bounty for individual enterprise. Not, however, in the estimation of congress, equal to the hazard of investment. In 1797, the duty on foreign salt was augmented to 20 cents per bushel. This proved insufficient to call forth the capital and enterprise of our citizens: necessity seemed to require that congress should act on every article that appeared to languish, under what was then called a protecting duty. Despairing of its ultimate success, on the 3rd March, 1807, salt was declared free of duty from and after 1st January, 1808. This continued until 1st January, 1814. During these years, as per appendix B. salt ranged from 50 to 100 cents per bushel higher than at any other period from or since the formation of the government, (the period of the war, excepted). It may be worthy of remark, that the same act which renewed the duty for the

encouragement of our own manufactories of salt, gave the bounty or drawback on the fisheries. The war of a second independence brought forth the energies of the country, and, from the close of that struggle down to the repeal of the last act laying a duty on salt, it ranged lower than at any other period since the adoption of the constitution.

General Washington, in December 1796, used the following language—

"Ought our country to remain dependent on foreign supply, precarious because liable to be interrupted?"

Mr. Jefferson, in 1808—

"The suspension of our commerce, produced by the injustice of the belligerent powers and the consequent losses and sacrifices of our citizens, are subjects of just concern. The situation into which we have been forced, has impelled us to apply a portion of our industry and capital to internal manufactures and improvements, and little doubt remains that the establishments formed and forming, will, under the auspices of cheaper materials and subsistence, the freedom of labor from taxation with us, and of protecting duties and prohibitions, become permanent.

In 1816 he wrote thus—

"That to be independent for the comforts of life we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturist. The grand inquiry now is, shall we make our own comforts, or go without them, at the will of a foreign nation? He, therefore, who is now against domestic manufactures, must be for reducing us either to a dependence on that nation, or be clothed in skins and live like wild beasts in dens and caverns. I am proud to say I am not one of them."

Mr. Madison in 1809, says—

"That it is not unworthy of reflection, that the arbitrary edicts of contending nations, to obstruct our trade with them, have so far abridged our means of procuring the productions and manufactures of which our own is now taking the place."

In his message of 1815, he said—

"There is no subject which can enter with greater force into the deliberations of congress, than a consideration of the means to preserve and promote the manufactures which have sprung into existence in the United States during the European wars."

See Mr. Monroe's message 1821—

Again 2d Dec. 1823:—"I recommend a review of the tariff, for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defence and independence of our country."

Your committee have no means of ascertaining the number of persons employed in the manufacture of salt. Judging, however, from the amount of capital as per schedule A, which is seven millions of dollars, the number must be very considerable. It is a remarkable fact, as far as comes to the knowledge of your committee, that in no one instance has the people petitioned congress for a repeal of the salt duty. They are satisfied with obtaining this article of necessity at the lowest possible price. All of which is respectfully submitted. M. BRUEN, chairman.

A delegate from the county of Kanawha, state of Virginia. New York, 31st Oct. 1831.

The Permanent Committee believe that some additional statements concerning the manufacture of salt, may be useful.

A petition to congress, on behalf of the manufacturers of salt, in the county of Kanawha, Virginia, signed Lewis Summers, Joel Shrewsbury, sen. Lewis Ruffner, James Bream, Joseph Lovell, A. Donnelly, and Isaac Noyes, dated 9th Jan. 1828, and published by order of the senate, Jan. 21, 1828—stated, among

others, the following facts, which are briefly condensed, for common reference.

In the early settlements of the western country, salt was as high as \$5 per bushel, and for several years it fluctuated from 2 to 3 dollars; but the works at Kanawha, being commenced, it fell to 1 dollar. And, even during the last war with Great Britain, such was the domestic competition, that it averaged less than 87½ cents—though selling at 5 or 6 dollars on the seaboard. In some instances, it rose to one dollar, (at the works) because of the great demand for the north-western army, and the operations of speculators—but increased production enabled the manufacturers to extend their supplies to new customers, and considerably checked a general increase in price. At that time 12,000 bushels were made weekly at Kanawha.

Since this period, the salt works in the western country have been much increased—and so great was the competition, and large the supply, that salt was sold as low as 15 or 20 cents per bushel, in casks ready for shipping, in 1825—and in 1826, even at 12½ cents. This necessarily caused a stoppage of many of the works. There were 61 wells, of a capacity to supply 100 furnaces, but only 56 were in operation. The average price of 1827 is stated to have been 24½ cents, and the actual cost of manufacturing, including barrelling, &c. 19½ cents. The salt made, was 787,000 bushels, employing 471 regular laborers, using 1,695,000 bushels of coal in the evaporation of 64,000,000 gallons of water. The capital employed was estimated at \$548,000, and the agricultural products annually consumed by the working people valued at \$47,600—using 24½ tons wrought iron and 108½ tons cast iron, and paying for mechanics' bills 7,950 dollars a year. We recite these particulars to shew how one branch of industry interlocks itself with others. And further, should be added the labor and cost of transportations, in making barrels,* and building wagons, boats, &c. employing many and various other persons. In this petition, the whole products of the salt works of the United States, for 1827, were estimated at 4,113,000 bushels—one half of which were in the western country. By the returns of the marshals in 1810, the quantity of home-made salt reported was 1,238,365 bushels, worth 1,149,725 dollars; or almost one dollar a bushel in that year, when there was no duty on salt.—See the table of average prices, marked B—and it will appear that the duty has not had any apparent effect on prices—nor do we believe that it has had any real one; for a brisk domestic competition acts against the foreign supply, and reduces cost to consumers, and so it has been in respect to every class of protected articles.

Of the 4,564,720 bushels imported in 1826 no less than 3,533,796 bushels were from Great Britain and her dependencies—2,554,549 from England, direct.

The petition above referred to, contains some powerful reasoning against the then apprehended reduction of the duty on salt; but the Permanent Committee believe that their present business is confined to the facts as stated; and do not wish to pass from them into argument just now.

On the 22d day of October 1830, the salt manufacturers of Kanawha again petitioned congress for a restoration of the duty on salt.† They estimated the capital vested in this manufacture at 6,964,958 dollars, and shewed the capacity of the United States to increase domestic supplies: they computed that 3,653 persons were directly employed in the business;‡ who, among a multitude of supplies from the

* 130,000 barrels, costing 32,000 dollars, were required.

† A law with a prospective effect having passed to reduce it.

‡ They, and their families were estimated at 14,612 persons—subsisted by the manufacture of salt:

farmer, required about 600 tons of iron annually. They state a fact of ordinary occurrence, though seldom sufficiently noticed by political economists and statesmen—that, on a failure of supplies from Kanawha, (which had kept down the prices at from 45 to 50 cents), foreign salt, at Cincinnati and Louisville, immediately advanced to 75 cents. But the extraordinary exertions of the Virginia manufacturers, (stimulated by the high price), soon brought it down again. They say that the protection given to domestic salt has not diminished the foreign trade in the article—as the tables shew. Its chief effect has been to reduce the price of salt; the diminished price being the loss of profit to foreign manufacturers. A large part of the salt brought to the United States is imported in lieu of ballast. The price of iron, salt or molasses, for example, has never risen, (unless for a moment) because of higher duties imposed—nor the price of molasses, salt or coffee permanently declined, because that the duties have been lessened. Practical results are decidedly against the theory, that duties must needs be "taxes." It is the force of the domestic competition, which settles that question; as is fully shewn in the report of the committee on the manufactures of iron; and other facts known to every man of business, who has examined the subject.

A memorial to congress from sundry inhabitants of Massachusetts, published by order of the house of representatives, Jan. 23, 1827, presents the following facts:

That, during the revolutionary war, salt was sold for three or four silver dollars per bushel—that after the war, the manufacture increased, until the duty was taken off; but the state of Massachusetts, (recollecting "revolutionary sufferings"), to aid the manufacturers, exempted the salt factories from taxation. In 1813, the duty of 20 cents per bushel being laid, the manufacture revived, and became extensive—great improvements being made in it, to save labor as well as advance the quality of the article. The water is pumped into vats from the ocean—and the vats are covered to avoid the effect of rains, or of dews, at night. In Barnstable county, only, there were then 15,000,000 feet of such vats, worth \$1,300,000, and having more than 1,000 owners. The price of salt which had been as high as 60 cents, having fallen to 33 cents at the works, the competition between the domestic and foreign supply, in the language of the memorialists, became "severe"—and they asked congress "what good reason there could be for destroying their only manufacture?" &c.

MISCELLANEOUS ITEMS.

In the year ending Nov. 1828, 1,160,000 bushels of salt were made at Salina, Syracuse, Geddes and Liverpool, in the state of New York. This paid a revenue to the state of 12½ cents per bushel; and left a clear profit for the year of \$138,620.

From March 1827, to June 1829, the monthly production of salt at Kanawha, was 75,000 bushels—inspected.

In 1829 the Kiskeminetias salt works in Pennsylvania, employed two hundred road wagons.

At the beginning of the year 1831, there were 17,545,760 square feet of salt works in Massachusetts.

The following brief notices of the salines on the Kanawha, as generally applicable to those west of the mountains, are interesting.

At the point where the salt factories are established, the Kanawha river is about 150 yards wide. The "salt region" extends 15 miles along the river, and the quantity of salt manufactured may be extended to an indefinite amount.

The salt water is obtained by boring through a great rock, to the depth of from 300 to 500 feet. Copper or tin tubes are introduced to keep out the fresh water, which lies above the salt,—and the latter rises as

high as the surface of the adjoining river, though all communication with it is cut off. The salt water is then raised to the top of the bank of the river, about 40 feet, by forcing pumps, and conveyed to the furnaces, as required. Bituminous coal abounds on the spot, and is used for the purpose of evaporating the water. Some of the salt water thus obtained, is so strong that it will hold very little more salt in solution.

These works at present, employ about 600 men, as salt makers, coopers, boat-builders, &c. The average price of salt has hardly exceeded 30 or 35 cents per bushel, at them. By means of the Baltimore and Ohio rail road, and other channels of cheap transportation, supplies of salt may be obtained from the west in future emergencies—such as happened in the last war.

The Kanawha salt is purer than the Liverpool.

Prices of Salt at Baltimore.

	March	April	Dec.
	27, 1830.	19, 1831.	9, 1831.
	Duty 20	Duty 15	Duty 15
	cents.	cents.	cents.
Turks Island	45 to 47	50	53
St. Ubes	44 " 45	none	53
Cadiz	40 " 41	42 to 43	none
Lisbon	43 " 44	43	"
Liverpool, (ground)	40	not quoted	40
" (sack)	203 to 212	200 to 215	200 —

The fishing business in the waters of the Chesapeake, failed last year, and there was some excitement, because of the stock of salt on hand, and its anticipated fall in price, on account of the reduced duty to take place on the 1st January last—but the salt in the hands of the fishermen rather made a profit than a loss, when the duty retired five cents a bushel! And now, (Dec. 9) we see, that though the duty will be only 10 cents on the 1st of next month, the price of Turks Island salt is six cents higher than it was in March 1830, when the duty was 20 cents, and 3 cents higher than when the duty was 15 cents, which duty will be only 10 cents, three weeks hence. There has been a small decline in the price of Liverpool salt, in sacks of 4 bushels, since March 1830—but all other salts show no other change since that time except against consumers.*

*When it was proposed to repeal the duty, Mr. Finton, of Ohio, stated, in the house of representatives of the United States, that a reduced duty would not affect the cost to consumers, though destroying a large amount of domestic capital and employment.

Mr. Doddridge, of Virginia, said that he had seen \$12 given in his county for a bushel of alum salt, and recollected when it was reduced to \$5, because of the improvement of the mountain roads—but that the price remained at three dollars until the Kanawha works displaced the foreign article. He had seen the time when 24 bushels of wheat would not pay for one of alum salt—and, at the same place, he had seen salt so reduced in price that a barrel of it would not pay for a barrel of flour. He supposed that a bushel of foreign salt had not been consumed in more than half of his (congressional) district for the fifteen preceding years; and thought if such salt was wholly excluded, the whole quantity required would be furnished without inconvenience.

Mr. Reed, of Massachusetts, referred to many proceedings of the revolutionary congress to encourage the manufacture of salt, and at the date of these resolutions, he said that the business had been commenced in his neighborhood—by evaporating sea-water. That the capital now vested in the manufacture in Massachusetts amounted to 1,754,576 dollars—making annually 503,686 bushels of salt, equal to the best alum or Turks island. That the repeal of the duty in 1807, though almost ruinous to manufacturers, rendered only a small and temporary benefit to

The salt made at the factories in Massachusetts weighs about 75 lbs. per bushel; and in 1828, sold for 38 cents. The capital vested in them was estimated at about two millions of dollars.

<i>The duty on salt.</i>	<i>Price—Turks Island.</i>
In 1789 64 cents	
1790 12	
1798 20	67
1807 duty taken off	50 to 55
1813 20 cents renewed*	50 to 100
1816 20 cents—act extended	65 to 70
1830 20 from Jan. 1, and	45 to 47
1831 15 from Jan. 1	50 to 53
1832 10 [to be] from Jan. 1.	53 [Dec. 9, 1831.

The whole facts shew—that the amount of the duty had no apparent effect on price, and favor the opinion, that a diminished duty has rather had a tendency to increase the profits of foreign manufacturers and embarrass the operations of home manufacturers, by rendering the market uncertain, than to diminish cost to consumers.

To exemplify this we shall state the duties upon, and prices of molasses, at different periods—the supply of that article being also of domestic and foreign production.

<i>1827 duty 5 cents.</i>	<i>price 33 to 35 less the duty 29</i>
1828 10	30 to 31 29½
1829 10	26 to 27 16½
1830 10	30 to 31 29½
1831 5	29 to 30 24½

The preceding are taken from the Baltimore prices current of Dec. in each year given, and have reference to the same quality of West India molasses; the price of which declined in the West Indies when our duty was increased, and advanced there when the duty was reduced. Such are the operations of trade; which we expect to show hereafter in numerous instances, and offer the reasons for them. It is sufficient to observe, for the present, that such they are.

NEW YORK PRICES.

In support of the opinions just advanced, we shall add the following statements, derived from Mr. E. Williams' valuable work, the *New York Annual Register*, given in anticipation of the volume for 1832, which is speedily to be published.

Prices of Coal, Salt, Coffee and Molasses.

The following table exhibits the prices in the New York market on the 1st December in each year (except those of 1820 and 1822, from which returns have not been obtained) since the last war, of Liverpool coal, Turks Island salt, West India coffee and molasses, (average price), with the duties payable on the same articles—

	<i>Coal per chaldron.</i>		<i>Salt per bushel.</i>		<i>Coffee per lb.</i>		<i>Molasses per gallon.</i>	
	<i>price.</i>	<i>duty.</i>	<i>price.</i>	<i>duty.</i>	<i>price.</i>	<i>duty.</i>	<i>price.</i>	<i>duty.</i>
Dec. 1.	d. 33.	d. 3 60	90c.	20c.	25c.	10c.	70c.	10c.
1818	14	1 80	60	do	21	8	10	8
1819	11	do	60	do	24	do	60	do
1820	11	do	70	do	30	do	13	do
1821	14	do	60	do	24	do	40	do
1822	—	do	62	do	29	do	40	do
1823	14	do	60	do	28	do	33	do
1824	—	do	60	do	25	do	do	do
1825	12 75	do	32	do	30	do	25	do
1826	15	3 10	50	do	17	do	28	do
1827	14	do	58	do	16	do	35	do
1828	10	do	49	do	14	do	30	do
1829	13	do	62	do	14 1-2	do	33	do
1830	13	do	62	do	13	do	28	10
1831	11	do	45	do	13 1-2	do	19	do
1832	8	do	55	do	12	do	30	do
1833	13	do	62	15	12 1-2	3	30	8

consumers. That there were more than 800 small factories in his district—whose competition had reduced the price to 30 cents for 56 lbs. of salt,—[the duty then being 20 cents on that quantity]; and he estimated the whole capital employed in the domestic manufacture at eight millions of dollars.

*Limited to the duration of the war.

REPORT ON THE CURRENCY.

The committee charged by the convention of the friends of domestic industry, assembled in New York, in the month of October last, to "report upon the currency of the country, as affecting or affected by the protecting system," beg leave to present the following report—

That to render clear and intelligible any statement they may make in relation to the "currency" of our country, as it may affect or be affected by the "protecting system," it is necessary to give to those terms a definite and distinct meaning, that will be recognized at once as just, when applied to the system of trade and political economy existing in the United States.

By the term "currency" they understand the medium of exchange used by contracting parties, in the interchange of commodities which are the product of labor, when direct barter or the exchange of one commodity for another, of supposed equal value, does not take place: But where time or space intervenes between the delivery of articles, that are the subjects of a contract, the written evidence that is given of the contract is the medium of exchange, and its transferable quality gives to it the character of currency.

By the term "protecting system," the committee understand such regulations of foreign commerce as shall protect our country from purchasing and importing, either voluntarily by its own citizens, or having forced into it by foreigners, an amount of the product of the labor of other countries, for which the product of the labor of our own will be insufficient to pay, when sold in foreign markets; and thereby prevent the accumulation of a balance of trade against the United States, that, if paid at all, must be paid by gold and silver: articles of commerce, the value of which is regulated like the value of all other articles of commerce—by demand and supply.

However some modern political economists may attempt to ridicule what is termed the "balance of trade," the committee do not entertain a doubt of its existence, as certainly between nations and communities of people, as between individuals of the same community;—nor that the amount of this balance determines as certainly the amount of gold and silver which a nation can retain, as it decides the amount that an individual can hold. Every person knows that the effect of contracting debts to an amount that his own income will not pay, must create a balance against him, to pay which he will first have to part with his money; secondly, with whatever other articles of value he may possess; and if these be insufficient to satisfy his engagements, that nothing but the humane policy of our institutions will save him from becoming the slave of his creditor, and being compelled to earn the amount of his contract by the sweat of his brow:—The bond having been fairly given, nothing but the inability of the debtor can release him from the fulfilment of his contract; and so with a community of debtors.

The committee are aware that our custom-house entries do not furnish any rule that can be relied upon to determine whether a balance of trade exists against this country or not. They furnish a tolerably accurate account of the quantity of the product of our labor exported, but give no data by which to ascertain the amount, in money, which that product of labor has sold for in foreign markets. The custom house entries probably, do furnish a reasonably correct mode of ascertaining the cost, in foreign countries, of the product of foreign labor, imported into the United States. The difference in amount, in money, between our exports and imports, as ascertained by their sale and purchase in foreign markets, is the true balance of trade.

To these preliminary remarks the committee will add what they suppose will be admitted by every one—that the product of labor alone is wealth—that all exchanges of the product of labor are commerce—that gold and silver are products of labor, to which coinage adds no increased value—that coined gold and silver alone are money—that money is but a legal measure of value possessing the peculiar quality of expansion, in the same proportion that the material of which it is constructed is diminished in the market—that currency is but the evidence of debts—that one hundred days' labor employed in Carolina, in extracting from the earth two thousand and twenty-five grains of gold, worth seventy-five dollars; and one hundred days' labor in Pennsylvania, employed in extracting from the ore one ton of malleable iron, worth seventy-five dollars; and one hundred days' labor employed in New York, in cultivating the soil and producing one hundred bushels of wheat, worth seventy-five dollars, have each contributed to the common stock of wealth an equal amount, and that the relative quantity of gold, iron, or wheat produced, at each of these places, by a given quantity of labor, establishes the value of labor or its product, at the place where it is rendered.

From the definition which has been given of currency, it will be perceived that the committee confine this term to such a medium of exchange as possesses merely the character of a *representative of value*—and that nothing else can be considered currency. In conformity with this opinion, money, or coined gold and silver, is not currency, because it is composed of the product of labor; and, as such, is an article of commerce, in even more universal demand than any other article which is the product of labor, because any other product of labor will, in every country, be given in exchange for it: but this is barter, and requires no medium of exchange.—It is a mere exchange of one product of labor for another, and is made in the same way and governed by the same principles, that one bushel of wheat is given for two bushels of Indian corn, or five pair of shoes for one hat.—No medium of exchange, or currency, is used in such transactions—one article of the product of labor being directly exchanged for another of equal value.

It has been already said that the currency is but the evidence of debts—and that it consists of contracts to pay, or deliver, at some stated time and place, a stipulated quantity of wealth, or the product of labor, and most commonly money; the quantity of which is defined by the number of grains of gold or silver which the laws require shall be contained in dollars or eagles; a certificate of which number is impressed upon each, by coinage; and, that these coins alone are money.

To give contracts promising the delivery of wealth, or payment of money, the character of currency, they must be transferable, so as to invest the holder with the right to demand and enforce a fulfilment of the contract. Bonds, notes and bills, whether payable to bearer, or to any one or his order or assignee, on demand, at sight, or at some future period of time, or at some distant place, and certificates of stock, constitute currency—which is not money, as used in the United States, but consists wholly of contracts to pay money. It is not the product of labor, and therefore has no intrinsic value. It is, however, an article of commerce, because a product of labor has been given for it; and because it is to be redeemed with a product of labor.—But there is the same difference between currency and money, that there is between the evidence of a fact and the fact itself.

As an article of commerce within our country, (and it is not an article of commerce elsewhere, with

the exception of some of the public securities)—currency has its value defined by the price it will sell for, in gold and silver; and this is ascertained, *first* by the degree of confidence which is reposed in the ability of the party contracting to pay; *secondly*, by the opinion entertained of the moral sense which will induce him to comply with his engagements; *thirdly*, by the certainty with which the laws will enforce a compliance, if his moral sense shall fail to effect this object; and *fourthly* by the place where the payment is to be made.

Currency is the aliment on which banks, brokers and dealers in money subsist. They affix a value thereto at their own discretion—as for instance, to a bill drawn at New York, payable at Philadelphia, on demand or at sight, for one thousand dollars, they would attach the value of one thousand dollars, less the expense of transporting the money from Philadelphia to New York, and the interest on the money for two days, the time that would be occupied in obtaining payment; or if it be a bill or note, payable twelve months after date, they would attach a value of less than nine hundred and forty dollars to it, and so in proportion for any greater or less time that might exist between the date of the note or bill, and the time it would become due. But a bill drawn at New York, payable at sight in London, for the equivalent of one thousand dollars in the currency of London, would at this time be worth in New York about eleven hundred dollars, exchange on England being ten per cent. above par. Whereas a bill drawn for one thousand dollars, payable in some other foreign place, might be worth not more than nine hundred dollars—exchange on such place being as much below par. Thus the currency of the country is of innumerable degrees of value, and worth just what it will sell for, when brought to market for money.

Contracts promising the payment of money, are in fact, bills drawn upon the gold and silver that may be at the place where they are made payable. And gold and silver being articles of commerce, the value whereof depends like that of all other articles of commerce, upon demand and supply, the value of currency must always fluctuate in the same ratio that gold and silver fluctuate in value, when these are measured by other descriptions of wealth or products of labor. As an example of this kind, we will suppose that a bill of exchange had been drawn in the United States, and made payable sixty days after sight, in London, for a gold sovereign, which, at the time the bill was drawn, was worth but four dollars and forty-four cents in London; or an equivalent that we will call five days' labor; and that when the day of payment arrived, one half the gold that was in England had been, during the interval between the date and maturity of that bill, transported to the continent, in consequence of an adverse course of trade; then the same sovereign which, at the date of the bill, would have commanded but five days' labor, would, at its maturity, command ten days' labor—for in this ratio the value of money would rise and labor fall, in pursuance of immutable principles in the laws of trade, which regulate values by demand and supply, of universal and invariable application.

Currency that is based upon wealth, to be ascertained and measured by articles of commerce, such as gold and silver are, must fluctuate, as we have shown, in the same degree that the articles upon which it is based shall augment and diminish in value. In further illustration of this position, we will suppose that when a country contained thirty millions of dollars, in gold and silver, and one day's labor would purchase one dollar, a man contracted to pay one hundred dollars, at twelve months after date; and that between the date and maturity of

such contract, fifteen millions of gold and silver were transported to other countries from that in which the contract had been made, then, the money that remained would increase so much in value, in consequence of its diminished quantity, there being no diminution in the demand, that it would require two hundred days' labor to satisfy that contract—whereas, one hundred days' labor would have discharged it, when the contract was made—the value of labor, in relation to articles uninfluenced by the foreign market, having fallen precisely in the same ratio that the value of money had advanced.

Still it must not be supposed that the fluctuations in the value of currency, caused by its being based upon an article of commerce, or the product of labor, present any argument against that basis; for the fact of its being based upon an article of commerce alone imparts any value to our currency. If it were not based upon something of intrinsic value; that is, upon something into which labor has entered, it would possess no value—for what would a contract to pay nothing be worth, even if the contract be fulfilled to the letter? It would still command nothing, and would not exchange for any thing that could add to the comfort or happiness of man: the whole object in the acquisition of wealth.

It would be impossible to state with any degree of accuracy, the amount of wealth which has accumulated in the United States since the first settlement of the country; which should be estimated by the quantity of labor that has entered into its construction, including both the wealth which is attached to the soil, and that which is floating and might be transported to other countries. Nor is it important that a conjectural estimate should be offered—for it is upon that portion only which is in the possession of the debtors of the country, that our whole currency is founded. And this portion of wealth, under the due execution of the laws, is pledged for its redemption, in money—and whilst our laws are duly executed, if the property of debtors will not purchase money at one price, to fulfil their engagements, it must at another. The general currency cannot therefore depreciate until that security shall be exhausted, or until the laws which enforce the obligation of contracts shall be impeded in their operation—contingencies not likely to take place, whilst the state governments are prohibited from passing any law that would impair the obligation of contracts, and the government of the United States shall protect the industry of this nation.

As currency is but the representative of value or wealth—in order to render its character still more clear, let it be supposed that a person has employed one thousand days' labor to construct a house; and that his necessities required, after he had constructed this house, that he should have one thousand articles, each of which it had cost one day's labor to create, at a time when coined gold and silver, or money, was so abundant that one day's labor would exchange for or purchase one dollar—and that, to obtain these articles, the owner of that house entered into one thousand separate written contracts to pay to one thousand different persons, or to their order, one dollar each, which he gave for the one thousand articles which his necessities required, and that he thus transferred his property in that house into currency—and so gave to the holders of this article of commerce a claim upon his house, by which they might become its legal owners, if he should fail to redeem his contracts in the time and manner stipulated. But, as these contracts for one dollar each may have been made payable at sixty days after date; and as the holders of these contracts may wish to exchange them for products of labor, they may effect this indirectly by selling them to banks, brokers or dealers in currency, for other

contracts; which will enable the holders to obtain, promptly, such products of labor as they may want, even money itself, if they choose to call for it, in dollars or parts of dollars.

In such transactions the house, or the value thereof, represented by the original contracts, performs the functions of currency; whereas under a system of barter, or mere exchange, without the employment of currency, the property vested in the house could not become a circulating article of value. In the case we have stated, the security given by the owner of the house to the holders of his original notes, that had entered into the general currency, consists of the house itself, and such other contracts, or articles the product of labor, as he received in exchange for the notes or contracts that he had made; and this security is worth precisely what, under any circumstances, it could be sold for. It might happen that the value of money would be double, before the day of payment arrived, by reason of the quantity being diminished one half; and then the value of the house, which it occupied one thousand days' labor to create, would be diminished one half, and would sell for but five hundred dollars. Yet the products of one thousand days' labor, which the owner received in exchange for his notes or contracts, being still in his possession, would also be worth five hundred dollars—but not more. And although these two resources would enable him to redeem his one thousand original contracts for one dollar each; he, nevertheless, would lose his estate, in consequence of the rise in the value of money, caused by the diminution of its quantity, between the date of his contracts and the time they became due—and hence the appalling effects upon the debtors of a community, by a contraction of the currency arising from a diminution in the quantity of legal money.—His situation would be very different, however, if during the same period the value of labor had increased, owing to a fall in the value of money, caused by its having been doubled in quantity. In this case, the house which was originally worth one thousand dollars, but which under adverse circumstances might be sold for only five hundred dollars, would be worth two thousand dollars; and the products of labor, other than money, which the owner of that house had received in exchange for his one thousand contracts for one dollar each, would also sell for two thousand dollars; so that after he had redeemed his contracts, he would be in possession of wealth, which, if measured by the standard of money, would be worth three thousand dollars.

Your committee will not attempt to make any estimate of the amount of contracts, at any time, existing in the United States constituting its currency. That portion however of our country which consists of contracts to pay money on demand, whether issued by individuals or corporate bodies, such as bank notes, and which properly constitutes the circulating medium, of the country, may be estimated with tolerable precision, by ascertaining the quantity of coined money in the country, and then computing this description of notes as four times greater in amount—for this calculation is more than justified by the general statements of the most cautiously conducted banks, exclusive of deposits and bank credits. An estimate thus made will be sufficiently accurate to settle principles—and, if it be admitted that, six months ago, there were thirty millions of metallic dollars in the country, there was then, according to the above rule for computing the same, a circulating medium of bank notes, payable on demand, amounting to about one hundred and twenty millions of dollars—which being used as money, by *courtesy*, in the interchange of wealth, caused the products of labor to be then estimated

by this standard. But if the amount of metallic dollars has since been diminished to twenty millions, by exportation, to pay a balance of trade against this country, which may be stated as a fact of recent occurrence, the quantity of notes payable on demand, or circulating medium, must have been diminished to eighty millions of dollars—and if the amount shall not be speedily augmented, the value of the products of labor must be adjusted by this standard.

Again, let it be supposed that the wealth of the country was twenty-four hundred millions of dollars on the first day of June last, measured by the then currency—now, it would be worth but sixteen hundred millions of dollars, as measured by the considerations in contracts constituting the present currency of the country—which shows a loss of eight hundred millions of dollars by this standard, that is primarily referable to the abstraction of only ten millions of money, to liquidate a balance of trade with foreign countries, created by excessive importations of the products of foreign labor, which could have been better supplied by our own industry, as far as our necessities required them.

How many men of wealth have been reduced to poverty by this unfavorable balance of trade—How many children will remain uneducated by reason of the adversity it has occasioned—and how many fathers will be required to labor twelve hours in the day to earn the same amount of money, that, six months ago, they could have earned in eight hours, can only be answered by the records of courts and the registers of asylums for the poor.

The committee would, however, do justice to themselves, if they did not declare it to be their settled conviction, that gold and silver are the only safe commodities of which to constitute money; and they are persuaded that they are supported in this opinion by the great mass of the American people, that to abandon the principle of making these the basis of contracts, would break up the foundations of society and disorganise all our civil institutions. Yet they are equally bound to declare their conviction, that there can be no security that this basis of our currency can be maintained, unless the power of congress to regulate commerce shall be so exercised, as to prevent the introduction of the products of foreign labor into our country, for which our surplus labor will not pay, when sold in foreign markets—a regulation, that can alone prevent such a balance of trade accruing against us as would withdraw the foundations on which our contracts rest.

A guide to national prosperity and safety more true and unerring cannot be found than a favorable balance of trade, sustained by such a regulation of commerce; nor one more fallacious, than that furnished by a tariff graduated by the mere calls of the government treasury, to defray ordinary or current expenses. A treasury, made to overflow by imposts on foreign goods, is but an evidence of great importations of the product of foreign labor; and shows clearly, that great exportations of the product of our labor must follow, to balance the purchases made in foreign countries; whilst it warns us that, if all other descriptions of the products of our labor are insufficient for this object, our money must disappear.

If an ample security against this state of things can only be obtained by a tariff of protecting duties, and these produce a surplus revenue, would it not be better to appropriate this surplus to any national object, rather than to pursue a different course, that must paralyse the industry of the people? Certainly, it would be better so to dispose of a surplus, thus created, than to permit the general wealth of the country to be diminished some hundreds of millions of dollars, when measured either by the standard of

labor, or by contracts existing for the payment of money. Far better would it comport with the interest of the nation, to regulate commerce in such a way as shall increase our currency, by increasing the means of its redemption, to an extent, that a day's labor will produce so much more wealth here, than it will elsewhere, that emigration will flow to us from all parts of the civilized world, to assist in subduing our boundless forests, and render our waste lands, which are now tenanted by wild beasts, tributary to the happiness of the human family.

The events that preceded the late war furnish a lesson which ought always to be held in remembrance. Between the time when the embargo was laid in the year 1807, and the time that it was raised in the year 1809, the importation of foreign goods was permitted, and exchange on England rose in the U. States, 9 per cent. above par, payable in the currency of England, which was then 10 per cent. below metallic money. But after the embargo was raised and the non-importation act substituted, our exports became so large and our importations were so small—those from England being prohibited, that exchange on London fell, in 1811, in the U. States, 20 per cent. below par, and coin flowed into the country from every quarter: then the currency expanded to a degree that induced improvements in the soil, in manufactures and houses, to an extent that had never before been equalled. Let it also be remembered, that, when war was declared, and exportation nearly ceased, the precious metals left us with as great rapidity as they had previously sought our shores; and continued to do so, until contracts could no longer be satisfied in money; until the government itself could not comply with its engagements—in fact, until it could not even pay the interest of its debt in money. If it be asked why could it not comply with its engagements to pay money?—it may be answered, for the plain reason that money is an article of commerce, and, as such, had left the country to pay debts, which other products of labor could not be exported to discharge. The embargo of 1807 was a regulation of commerce that depressed the value of labor, and the non-importation act of 1811 was a regulation of commerce which augmented the value of labor. The one, suppressed our whole exports—the other, a part of our imports. The war too of 1812 destroyed our entire commerce with the enemy—yet it was declared and prosecuted to protect our foreign trade, and thereby to promote the general welfare. Assuredly, these positions will be admitted by the strongest advocates of free trade. And is not congress still charged with the duty of promoting the general welfare? Or, by what means can this be more effectually done, than by regulations of commerce that will promote the industry of our own citizens—enable them to comply with their contracts to pay gold and silver, when they have contracted to pay money, and also to use and expand the resources which a bountiful Providence has placed so abundantly within their control; and thus diffuse the greatest possible degree of benefit and happiness through the whole body of the people?

It is not contended that the trite remark, "that trade will regulate itself," is not in the abstract true; nor that money, will not, like all other articles of commerce, seek the best market: but admitting these axioms to be true—how are these ends accomplished?—Sometimes trade will regulate itself by means that must bring ruin upon a whole nation. It may regulate itself by permitting products of labor to be imported from countries where a day's labor can be obtained for twenty cents—where the laborer is but half fed and half clothed: and these products may be imported to an extent that would draw from our country such a proportion of our money, as

would enable the possessors of that which remains to purchase a day's labor for eighteen cents. Then, and not till then, would money come, by the ordinary laws of trade, to us, in payment for the products of our labor; because these would then be cheaper here than elsewhere.

Though the committee entertain no doubt but that the maintenance of a balance of trade in favor of the country, is not only essential but absolutely necessary to preserve a general advancement in prosperity and wealth, in which each member of the community is interested, be he rich or poor, be he a possessor of houses or lands, of manufactories or mechanic arts; or be he the possessor of the elements by which wealth is acquired in any other way—all are interested in their respective degrees, according to their stake in the common family. But while the committee wish to express in the most unequivocal way their opinion upon this point, they must not be understood as advocating an exercise of the power of congress in the regulation of commerce, that will keep this balance of trade in favor of the country beyond the extent of a decided but moderate amount, which will augment the quantity of gold and silver brought into the country, and retain it in about the proportion that the population will increase in number.

The committee suppose it will be admitted, that stability in the value of all products of labor would be a desideratum in political economy, more desirable than any other; but that this is altogether unattainable, as long as diversity of soil and climate exists—causes producing effects against which the wisest legislation cannot effectually provide. As for instance, what would be the effect upon our country if an unseasonable frost in the month of June or July, should destroy our grain crops, by which the community would have to purchase their bread in foreign countries for one year—or, if by the same means in the months of August or September, the cotton and tobacco crops should be destroyed and their value as exports be lost to the country? A balance of trade would be immediately created, which could drain the legal money from the country, to an extent that would either suspend the laws enacted to enforce the fulfilment of contracts, or would pass all the property of the debtors of the country into the hands of their creditors, for nominal considerations, at forced sales.

But these are contingencies which no legislation can guard against, more than it can against war, pestilence, or other means used by the great first cause to arouse men to a reliance upon him for all their blessings—while the same evils, brought upon other nations, which would render a reliance upon us exclusively for the necessities of life, at our own prices, would bring to our country gold and silver in such quantities, as would augment the value of the products of labor here, when measured by this standard, so high, that no tariff of duties or any thing short of total prohibition, would prevent the products of the labor of countries thus impoverished, from being brought to us, with which to draw back our surplus treasure.

If then it be impracticable by any regulation of commerce, to produce stability in the value of labor; and stability, if attainable, would conduce to the general prosperity, it would seem clear that the nearest approximation to this point which can be attained, ought to be sought in all legal restraints upon commerce.

Nor must the committee be understood as advocating a general system of high duties, unless such duties be indispensable to produce, under ordinary circumstances, a balance of trade in favor of the country—that system of duties which shall operate as a positive and ample protection to our own indus-

try, in developing to the greatest extent the elements which we possess within ourselves to supply in the greatest measure possible our own wants, and add to our own security, must be the most judicious system which can be devised in any regulations of commerce, intended to promote the general welfare—and this may possibly leave exempt from duty, altogether, many products of the labor of foreign countries, which are either necessary to combine with our elements in developing our own resources and augmenting our wealth, or which are necessary to add to our comfort, happiness or national protection and defence.

In conformity with the views of the committee, all contracts for the payment of money, which in their nature are transferable, either by assignment or by delivery, are currency, and as such, pass for just as much as they will sell for, in the market: yet all currency is not "circulating medium."

Circulating medium consists exclusively of that portion of the currency which approximates in value so near to gold and silver, that, by common consent, it is, in the ordinary transactions of society, accepted and used as money, at its nominal value. But the moment currency ceases to pass at its full nominal value, it assumes the character of any other article of commerce, and ought to pass for only as much as it will command in money. If it pass for more than it will sell for in money, the party who has issued the contract, if he has received a full consideration for it, gains the difference between the nominal and actual value at the expense of the public, if it be that description of currency which enters into the transactions of society as circulating medium or a substitute for money. The principle is the same, whether its value be one per cent. or ten per cent. below par: it ceases to be "circulating medium" equal in value to legal money. It is a depreciated circulating medium, and the circulating medium which existed in the United States during the late war, is an illustration showing how far such a medium may be permitted to depreciate, when the operation of laws for enforcing the obligation of contracts shall be suspended, either by common consent or from necessity, as was the case then, and will for the same reasons be the case again, if the country shall become involved in a war with a nation sufficiently powerful to prevent the exportation of all other products of labor except gold and silver, because the immutable principles upon which the laws of trade are founded, cannot be controuled by municipal regulations—If the stock of gold and silver on hand at the commencement of the war shall be drawn off and exhausted, contracts payable in these materials cannot be fulfilled—yet the ordinary intercourse of society requires a "circulating medium," and if this medium be formed of contracts to pay gold and silver, they are contracts to perform impossibilities—they cannot be paid in that which cannot be obtained—Under such circumstances, if the operation of the law be not suspended either by common consent or otherwise, a general bankruptcy of debtors must take place, including not only individuals but corporations, and especially banks, as their notes payable on demand would first come under the provisions of law, and be first rendered liable to its operation—No bank, whatever its power might be, under ordinary circumstances, could maintain specie payments, and continue to prosecute business and issue notes payable on demand, if gold and silver be exported and cannot be imported—For such contingencies an exercise of sovereign power is necessary, which would be highly inexpedient, if not illegal, under other circumstances.

As the portion of our currency that, from the facility with which it is convertible into legal money, is by courtesy used as money, and constitutes the circulating medium; and as this medium consists principally of bank notes, it may not be improper for the committee to present their views in relation not only to banks, but the effect which they have upon the industry and prosperity of the community; for the purpose of dispelling an opinion, too often entertained, that they possess a controuling power, at all times, over the property and wealth of a nation—and exercise that power, by making money plenty or scarce, at their pleasure.

Banks are nothing more than associations of individuals, who have joined their funds together in one common stock, to be employed by the agents of the proprietors, in the purchase of that portion of the currency which consists of bonds, bills and notes of other companies or individuals—and which are mere contracts to pay money, at some future time or place; and such purchases are made by them, upon the same principles that govern individuals or other companies, that are formed for different commercial objects.

In the United States, companies, generally, are incorporated by laws, under which the corporations surrender some of their natural and undeniable rights for the purpose of procuring a legal exemption, for each individual stockholder, from liability to a greater extent, on account of the acts of his copartners, than the amount of funds he has placed in the joint capital; and for the purpose also, of obtaining in law, the character and benefits of individuality in conducting proceedings in courts of justice. The public security is not perhaps so great in such companies, as it would be if they were not incorporated—or, without an act of incorporation, each copartner would be liable for all the debts of his company, to the extent of his whole estate. These banking companies however, have become very numerous, under the sanction of law; and they are all employed in buying or discounting currency that is payable at some future time; and giving for this currency their own notes, payable at sight or on demand. The quality of the currency brought to them for sale or discount, is judged of by them, according to the same rules that govern purchasers of any other article. That which they consider good is accepted, and that which is doubtful they reject. Contracts made by persons who are supposed to possess such an abundance of wealth, that, if it were brought to sale, even under the operation of law, would purchase as much legal money as would redeem all their contracts, are considered fair articles of commerce with a bank; articles, which it will purchase, and on such terms as the parties can agree upon, if bills of exchange; but if they are promissory notes, then the purchasers cannot legally buy them at a lower rate, in some of the United States, than six per cent. per annum, deducted from the nominal amount of such notes or bonds, without subjecting the purchasers to the operation of penal laws.

It has been supposed by persons well informed upon the subject, that there are in the United States about three hundred and thirty banks, in which capital has been vested to the amount of one hundred and forty-five millions of dollars. If this estimate be correct, it will follow that there must be now in the United States as many millions of dollars—provided however, that the capital of those banks was all paid in gold and silver and still remained in their vaults; but a supposition so preposterous as this will not be entertained by any one. For, in the first place, bank capital never was all paid in gold and silver, with the exception perhaps of the first bank which was established in this country; and secondly, if it had so been and were still in bank, it would have been wholly useless to the owners. Whatever legal money was paid in to constitute the capitals of our banks, has not only all been paid out for the contracts of individuals, based upon the products of labor, owned and possessed by those individuals—but the banks themselves have, in addition thereto, issued their own notes to an amount varying perhaps from one hundred and twenty millions of dollars down to sixty or eighty millions of dollars. It will thus appear that, if the bank capitals amount to one hundred and forty-five millions of dollars and they have issued their own notes to the amount of one hundred millions, which, in addition to their capitals, are invested in individual contracts or general currency—the banks have the power to call upon the community for two hundred and forty-five millions of dollars; or one hundred and forty-five millions more than the community can demand from them. If therefore, the banks were to decline purchasing currency, and that which they held would all fall due in equal proportions daily throughout one year, their calls upon the debtors in the community would be, daily, for the payment of about four hundred thousand dollars; but if it would all fall due within six months, which is perhaps nearer the

time limited for its payment, their average daily calls, for legal money, would be at the rate of eight hundred thousand dollars.—These demands could not be paid; the money could not be obtained by their debtors—because there is not, and probably never has been, more than one-fifth part of this gross sum of money in the U. States, at any one time. Nevertheless, should the operations of law bring to sale, for such prices as it would command, a sufficient quantity of the property of debtors to liquidate these claims, it must be self-evident that it could not sell for more money than the country contained; indeed, that it would sell for just as much below that sum as the possessors of the money might choose to receive it at—unless, money should be brought or sent by its owners from foreign countries to exchange for the products of labor here, by reason of these being so much lower in this country than elsewhere as to hold out a sufficient inducement to foreigners to emigrate to the United States—or make purchases therein.

It is evident, therefore, that a combination of a few banks could monopolise, for a time, the whole legal money in the United States, and thereby temporarily reduce the value of the products of labor to any standard they might desire. But though the power to monopolise all the legal money of the United States may exist, in the hands of comparatively a few stockholders in banks, it may still be presumed that no danger will emanate from this source; because, *firstly*, of the difficulty of forming such combinations, and *secondly* of the restraint imposed by the moral sense of those who are charged with the administration of such corporate bodies. It must be admitted, however, that the security of the community against the effects of a partial or total monopoly of the money of the country, results more from the number of banks, and the competition which exists amongst them in trade—than from any restraint imposed upon them by law, or the probability that the balance of trade will bring into the country an amount of money so large that it would be impossible, or too difficult, for the banks to make a monopoly of it. Still it cannot be denied, that, wherever the power exists to abstract from the community the coin or legal money that is possessed by it, and upon which contracts based upon the products of labor have been adjusted, there the power must also be to regulate the value of all other products of labor in the possession of the community—whilst the sacred obligation to fulfil contracts, in the spirit and according to the policy of our social system, shall be maintained—and the parties possessing this power may be either creditors, living in foreign countries, or individuals and corporations in our own.

The committee consider banks, whether incorporated or unincorporated, as not differing from other private companies, whose operations are confined to a particular branch of commerce; and bank notes as not differing in any degree, either in their nature or in their effects upon society, from the notes of any other corporations, companies or individuals, whose ability and will to comply with their engagements, are unquestionable. It has been remarked too, that it is their business to trade in the currency of the country, and that the currency of the country rests for its value upon the amount of wealth in the hands of debtors, who are the parties that have issued the currency; and that, the banks themselves have, as debtors, issued from sixty to eighty or one hundred millions of dollars of that portion of the currency; which is the most speedily available in obtaining money; and that after they shall have paid the amount of their debts, they can call upon the community for the production of one hundred and forty-five millions more, at such times as their discretion might dictate. It thus appears, that the power which the banks possess over the wealth of the country results from the fact, that the amount of specie therein is much less than the amount of bank capital, and that the chief security which we have against an injurious exercise of that power for the benefit of their stockholders, is to be found in the moral sense and patriotism of bank directors.

It is now proper to show that it is not in the power of banks to relieve the community from a pressure for money, when a balance of trade exists against the country, however desirous the directors of banks may be to do so. These institutions are the principal depo-

sitories of the gold and silver of our country—and their notes form a circulating medium payable on demand. Any person who can possess himself, be he a foreigner or citizen, of these notes, can therefore, at a moment's notice, demand that the vaults of the banks at which they are payable shall be unlocked, and their coin paid out, to be put on ship-board for exportation. Few banks, if any, in this country, have more than one half as much coin, at any time, in their vaults, as they have notes in circulation. They are, therefore, liable at all times to be called upon for more money than they possess. The security they feel that this will not be the case, springs from the expectation that the coin will not be wanted; or, if wanted, from a knowledge that their notes are scattered and distributed into the hands of so many persons, that they cannot be collected and brought in for payment except in small quantities, and during many days, and, that while this operation is going on, they can collect as great an amount of money from their debtors as will be drawn from the banks in coin; provided, they purchase no more currency and do not re-issue their own notes. Banks, it thus appears, must first feel the pressure of a call for money to pay a balance of trade due in a foreign place; and they, in turn, produce, not from choice, but from necessity, a corresponding pressure upon the debtors of the country; and these, under such circumstances, resort to a sale of the wealth they possess, in the shape of products of labor or articles of commerce, to procure money, with which to redeem the currency they have issued, and which is held by the banks. At such times, legal money, or gold and silver, will be more in demand than other articles—and such demand will become more urgent and pressing in proportion as the quantity of money diminishes; until, by the ordinary operation of the course of trade, which adjusts prices by demand and supply, the value of gold and silver is raised so high, when compared with other descriptions of wealth or products of labor, that these will here sink so low, when compared with the products of labor elsewhere, that gold and silver will come to us, to purchase labor or its product; because it can be purchased here, with gold and silver, cheaper than in other countries. When this state of things takes place, the balance of trade will be in our favor, and remain so, until as much gold and silver shall come to us as will, when measured by that standard, raise the value of labor higher here than in other places, when the tide will again turn.

But as every turn of the commercial wheel produces an unfavorable balance of trade, in attended by devastation and ruin to the debtors of a community, who always constitute the great body of the people in all commercial nations; and as great portions of the property of these must pass, at such times, into the hands of creditors, either domestic or foreign, for little more than nominal considerations; given at forced sales—the rich then become more rich, but all others suffer; a paralysis takes place in commerce; the relations of society are disturbed—and, as the whole economy of the nation has to be re-organised, a new generation must arise before general prosperity can again pervade the land. To guard against such catastrophes in the United States, it would seem that the power to regulate commerce was wisely and necessarily bestowed on congress.

Finally, your committee wish to be understood as being of the opinion, that the powers and operations of banks upon the wealth and prosperity of the nation, when their powers are used with sound discretion and in good faith, are highly salutary; provided their capitals, be moderate in amount—and a fair competition in their trade is maintained.

If incorporated banks did not exist, unincorporated banks would undoubtedly be established; and individuals would here perform all the functions of banks—as they do in England, by dealing in the currency, and issuing notes which would constitute a circulating medium. For if they did not, the same system of barter would, from necessity, have to be adopted in the interchange of commodities of value that exists in some other nations; and this could only be done by our being in possession of so much of the precious metals that an exchange of the product of one day's labor in silver or

gold could always be made directly for any other product of labor, of equal amount or value—and into which an equal quantity of labour had entered. A state of things under which commercial prosperity could never be experienced, because the cost and value of the capital employed must always be equal in amount to that for which it would be exchanged; and hence no profit could accrue to either the buyer or seller, except what would arise from any difference in the value of the articles exchanged, that might happen from subsequent alterations between the demand and supply.

It will be perceived that the committee have confined their remarks upon the effects of the balance of trade, to the commerce of this with foreign nations. They have so done because it is this balance, alone, which operates upon the whole mass of the people of the United States. But balances of trade also exist between different portions of our own country, and between individuals of the same vicinity—as is evident from the prosperity of certain towns and districts and decline of others; and from the prosperity of some individuals and adversity of others. These are matters which may however, be wisely left to regulate themselves, under our happy constitution—which guarantees a free trade between the several states of our union—and to the influence of our equally wise laws, which, by destroying the right of primogeniture, have caused the wealth of this country to be diffused in as many hands as possible. Under such circumstances, the enterprise of our fellow citizens will regulate our home trade better than any regulations of the states respectively, could govern it. The people of this union are one commercial community—and, whilst the purchases and sales made by its members are made exclusively amongst themselves, this community cannot over-trade itself—for all its wealth will remain in the possession of some of its members, should it change hands every day; and to the community, as such, it will be immaterial whether it were chiefly in the hands of A and B, or C and D; as A, B, C and D, would have the whole of it.

This committee would certainly had if they attempted to show that any system can be provided, in relation to our general currency, that would be more advantageous to the community, or perfect and simple in its operation, or one, which is better calculated to afford every attainable facility in the interchange of wealth, and at the same time be so free from all tendency to vitiate the public morals, than that which now exists.—Based upon the product of labor, and relying upon the integrity of the laws of the states, for the certainty with which the fulfilment of contracts can be enforced—we regard it as a system commended to our approbation, not less by experience than by sound reason. But, let it be also remembered, that not only the stability of the system, but likewise its utility to the public, depends upon the power of congress to regulate commerce, being exercised in such way as will protect the industry of our citizens to an extent that shall, at all times, maintain a balance of trade in favor of our country; which is the only means by which gold and silver can be retained, or contracts payable in these commodities be fulfilled—or those ruinous depressions prevented in the value of property, which always bring distress and adversity upon the most enterprising portion of our citizens.

The committee feel that some apology is necessary for the length of this report, notwithstanding that they have perhaps sacrificed clearness to their desire to reduce the subject within a moderate limit; still they hope it will be acknowledged, that the importance of the question will furnish a justification, for the indispensable details into which they have been led. All which is respectfully submitted,

THOMAS ELLICOTT, chairman.

REPORT ON SUGAR AND MOLASSES.

Mr. D. W. Coxe, of Pennsylvania, in behalf of the committee to which was referred the subject of the production, manufacture and consumption of sugar and molasses in the United States, made the following report:

That, like other manufactures of the United States, those of the south claim the support and protection of the general government. Although sugar and molasses do not come within the ordinary conception of the term,

yet they are in reality, like the fabric of cotton, derived from the produce of the soil, and that too by a most laborious, delicate and expensive process. Sugar, moreover, has become by long habit a necessary, and not a luxury of life in this country, where it forms an indispensable part of two of the daily meals of its most indigent inhabitants. The policy, therefore, of securing a cheap and certain supply of so important a comfort to every family, cannot be denied. In examining the subject of the protection of sugar and molasses, your committee assume as an incontrovertible maxim, advanced in the celebrated report on manufactures by Alexander Hamilton, that, in all cases, where a country possesses an ample supply of any raw material, full and entire protection, against rival foreign articles made from that material, will in time invariably reduce price, by home competition, to the lowest rate at which they can be afforded; to which may be added, that the examples of Great Britain and France fully confirm the truth of this axiom in relation to all their staple manufactures. Conclusive proof, however, is found in the experience of our own country upon this point, and the following apposite cases may be adduced. Coarse cotton cloth now sell for 6 to 7 cents the yard, the protective duty is 8½ cents the square yard. They were formerly worth 20 to 25 cents. Protection, therefore, has brought the price below the duty. Lead is now at 3½ cents per lb. in Missouri—the duty is 3 cents. It was formerly worth 6 to 8 cents. Common window-glass is now 4 to 4½ dollars the box—duty 3½ dollars per 100 feet—it formerly sold at 10 to 14 dollars. Cut nails now 6 cents per lb.—duty 5 cents—formerly worth 10 to 12 cents. Copperas is now worth 2½ cents—duty is 2 cents—before the late war it was 3 cents, but rose, during the war, to 20 cents. The same remark applies to various manufactures of leather, to coarse hats, to all cabinet and other wares of wood, to carriages, to the coal of Pennsylvania and other states, which bids fair to rival the fisheries and coasting trade in the employment of shipping, and as a nursery for seamen. Seven hundred and of sloops and schooners were loaded at Philadelphia alone the last year with this article. To these, among many others, may be added sugar and molasses. The aggregate quantity of the former consumed annually in the U. S. is estimated at about 150 millions of pounds weight, and already do we make, under the influence of the duty of 3 cents per lb. imposed in 1816, 100 millions of pounds, equal to two-thirds of the whole consumption of the country, which is now worth in Louisiana 5 cents per lb. The duty, as before stated, is 3 cents, and the former price, for many years, varied from 8 to 12 cents. Refined loaf sugar, manufactured from domestic and foreign brown sugar, is largely consumed at home, and beginning to be extensively exported. It contributes, consequently, to increase the demand for, and cultivation of, the former.

It is worthy of special observation, that Great Britain protects her colonial brown sugars by a duty of 12½ cents per lb. on the foreign article; France her's by a duty of 9 cents; while the United States are deemed by the modern economists very unreasonable for imposing only 3 cents for the same purpose. The consequence, however, of the British policy is, that she supplies nearly all the world with her refined loaf sugar, excepting only France and Russia, who, it is believed, prohibit the introduction of foreign loaf sugar altogether. The U. States ought to become the greatest sugar refining country, as they possess within their metropolitan limits an extensive sugar region, and allow, moreover, a drawback of 5 cents per lb. on their loaf sugar exported to foreign countries. Thus, the continuance of the 3 cents duty must ere long secure to this country a large share of the refining business.*

*In New Orleans there are.....	3
Baltimore.....	4
Philadelphia.....	11
New York.....	11
Providence, R. I.....	1
Boston.....	3
Salem, Mass.....	1

Total, 34

P. S. There are eight refineries in Baltimore. H. N.

Of molasses, the quantity made, at the rate of 60 gallons for every 1,000 lbs. of sugar, is from 90 to 100,000 casks, of 60 gallons each, worth 14 to 16 cents per gallon, and of a quality very superior to any imported. This article was protected by the tariff of 1828, by a duty of 10 cents per gallon, but it was last year reduced to 5 cents, which is sufficient. Should the duties, however, on these two articles be now reduced, the consequence must, in the opinion of your committee, be most disastrous to the planters of the south, in which may be included the infant establishments of Georgia and Florida. The number of sugar plantations, large and small, in Louisiana alone, exceeds, from the best information, 500, half of which are supposed to be worked by steam, the remainder by cattle and horses.

Of the vast amount of capital employed in buildings, lands, slaves, steam engines, and other machinery, iron boilers, cattle, horses and implements of husbandry, clothing, the purchase of slaves, every thing except bricks, wood and mortar, are supplied from the other states, including those bordering on the Ohio and its tributary waters; to which may be added, the annual demand for corn, flour, staves, hoops, beef, pork, bacon and lard, required for the use of these estates, which, if ruined by a reduction of even one cent per lb. of the duty of foreign sugar, must cease to consume them, and thereby seriously injure those who depend on Louisiana for a vent for these articles, while the United States, deprived of her sugar culture, will again be at the mercy of the foreign sugar growers, who would then recover and hold a monopoly of the supply, and be enabled to dictate prices, as Great Britain assuredly would do, were the cotton, woollen and iron manufactures of this country overwhelmed by a similar inopposite reduction of the protecting duties; presenting a practical illustration of free trade doctrine, which sanctions the admission of foreign rival commodities without duty, and does not object to the exclusion of our own from the ports of that rival, or deem it a grievance requiring correction. Another infallible consequence of a repeal or reduction of the duty, would be again to force the whole of the sugar country into the cultivation of cotton, whereby 100,000 additional bales of cotton would be brought annually into the market, and thereby tend to augment the evil effects of over production. These are not all the disadvantages that would be experienced from even a partial repeal of the duty on sugar, at this crisis of depression in prices. The coasting trade of the country would be seriously affected; 100,000 tons of shipping and steamboats, now annually required to transport the sugar and molasses of Louisiana to the northern and western states, would be thrown out of employ. In fine, the strong tie of interest and dependency of one pursuit of industry on its correlative branch for employment, now existing between the sugar planters and those whose wants they supply, and by whom they also are supplied in return, would be rent asunder and dissolved, and our former condition of a reliance on foreign supplies, and a precarious foreign vent for the articles now consumed by the sugar growers of Louisiana, would naturally return.

There is yet a remaining consideration connected with this interesting subject, which your committee feel they ought not to omit to notice. The enterprising spirit of our southern brethren has, within a few years past, stimulated them to such extraordinary exertions in opening new sugar plantations and extending the old ones, that their pecuniary engagements and debts, contracted on the faith of a continuance of the present protection, have been greatly augmented in expectation of ultimate remuneration; and it is a lamentable truth, that the sugar planters of Louisiana are at this moment indebted to the extent probably of one-third of the value of their entire estates and slaves, and are paying an interest of 8 to 10 per cent. on loans that can only be extinguished from the avails of their future crops. Meanwhile these bold and adventurous undertakings are producing for the community at large the most beneficial results, and bid fair, by the reclaiming and draining of the rich alluvial lands of Louisiana, (formerly deemed of no value) to spread the cultivation of the cane over all that country, so as, in a few years, not only to place beyond all

contingencies the future supply of the United States, but to add a new and important item to the list of exports. Believing, moreover, that it has been satisfactorily demonstrated that the price of domestic sugar has been reduced by protection, to the advantage of all, especially the poorer classes, your committee feel satisfied in expressing their decided opinion, that sound policy requires the present duty on foreign sugar should be allowed to remain undisturbed.

Appendix to the report on sugar and molasses.

The Permanent Committee of the New York Convention believe that many useful remarks and facts may be added to the report of the special committee, to whom the subject of the production, manufacture and consumption of sugar and molasses was referred—to shew the intimate and important connection of this branch of industry with others, and its general and powerful tendency to enlarge the internal trade of our country, and increase the common stock of national wealth. Certain facts collected by the planters of Louisiana, with the statements made by Mr. Johnston, one of the senators from that state in congress, and many other valuable papers are before us—of which we propose to offer a condensed view, and apply the data obtained to bring out probable aggregates.

At the time of the session of Louisiana (1803) there was a revenue duty of $\frac{1}{4}$ cents per lb. on sugar. The great influx of capital and enterprise which followed the session, caused a much increased application of labor to the cultivation of the cane. For many years, the experiment seemed a doubtful one; but the cane gradually adapted itself to the climate, and rendered the crop more certain, though still a precarious one—skill, also, was acquired by experience, and scientific power brought into use; and, in about twenty years after the session, the product amounted to 40,000 hogsheads per annum, and began to afford a profit on the large capital that had been employed in this business. In 1816, an additional half cent per lb. was added to the duty, to protect the cultivation; and, from that time, confidence in ultimate success being entertained, capital was freely vested in lands and slaves for the manufacture of sugar; and the present result is, a yearly product of about 100,000,000 lbs of sugar and 5,000,000 gallons of molasses, worth about six millions of dollars: of which amount at least four millions are annually paid by the planters to the people of other states, for provisions, manufactures and labor supplied.

Speaking with reference to the foreign demand for the agricultural productions of the United States, Mr. Johnston, in his letter to the secretary of the treasury of the 31st December 1850, says—

‘It is very doubtful whether it is possible, from any increase of agricultural products, to increase the value of the export. It will be seen, then, what proportion this will bear to the whole export, what amount of labor it will divert, and what interchanges it will create.

I refer you to the answer of the Central Committee of Louisiana, in which they present you the result of the operation of 20 plantations for five years, in the parish of Plaquemine, and in the most favorable position.

The capital of 20 plantations	\$2,028,000
Gross revenue	274,818 80
Per cent. per annum	13 55
Expenses	171,650
For the furnishers of objects consumed—per cent.	8 46
For the planters—per cent.	5 09
Total, equal to (gross revenue)	13 55
Cost to the planter, (expenses) 3.63 per lb	
profit on capital 1.87 per lb. 5.50	

It may be, therefore, safely assumed that the actual cost, independent of the slaves and land, and

And—*is* not less than 3½ cents a pound, and the profit not more than 2 cents.

Of the 100,000 hogsheds estimated at \$5,500,000
And 5,000,000 of gallons of molasses 1,000,000

	6,500,000
Actual expense, (at 3½ cents)	4,136,363 63
Profit, (2 cents)	2,363,636 37
	\$6,500,000 00

"It is extremely difficult to estimate the profit upon capital: the value of property which constitutes the capital, depends, in general, upon the interest it produces. There is loss of time and capital in making the establishment. The first four years will probably yield no actual profit, but the labor is employed in making valuable improvements, which add to the value of the estate and become capital. Besides, when in the most successful operation, the crop depends upon the seasons, and somewhat upon the soil, state of preparation, skill, and other causes. Thus a plantation with 99 slaves yielded—

In 1826	250 hhd's.
1826	350
1827	600
1828	550
1829	174

5)1,924

General average 354 4 5

Which is less than 4 hhd's. to the hand.

"This is an established plantation in successful operation: and the result greatly exceeds the other plantations in the neighborhood. This crop is made by 67 working hands. In some favorable seasons, as '27-'28, they made eight or nine hogsheds to the hand; and in others from 2 2-3 to 3. When one of these favorable seasons occurs, and an extraordinary crop is produced, it becomes a matter of great notoriety, is published in the papers, and thus the impression is made that the profit is immense, that the duty is unnecessarily high, and ought to be repealed or reduced. Under this false view of the subject, it has been brought before congress, and many members have meditated the reduction of two cents a pound, equal to the whole profit upon the labor. I cannot believe that the southern states, with a correct view of this great concern, will consent to destroy this national object; one essential to our independence and our comfort; to destroy the whole value of slave property; to ruin the people of Louisiana, now in a course of experiment; to strike out from the protection of government the only great object in which the south can feel any interest; an object which will be a full equivalent for all the south pays under the tariff system."

The twenty plantations, on an average for five years, yielded 4,379 hhd's. of sugar or 4,379,000 lbs and employed 1,086 working hands, requiring, in all 1,674 slaves. The whole product of sugar being taken at 100 millions of pounds—the following results appear:

As 4,379 hhd's. are to 2,028,000 dollars, so are 100,000 hhd's. to 46,300,000 dollars, the whole capital vested in the sugar estates of Louisiana.

And—as 4,379 hhd's. are to 1,674 slaves, so are 100,000 to 38,200 slaves, the aggregate required on the present sugar plantations.

The following extract from the appendix to the same letter of Mr. Johnston is highly interesting—

The capital invested in a plantation capable of producing, by the best management, 400,000 pounds of sugar, and 10,000 gallons of molasses, worth on the plantation 23,000 dollars, must consist as follows:

1,500 acres of land, at \$50 per acre	75,000
90 hands, at 600 dollars each	54,000
40 pair of working oxen, at 50 dollars	2,000
40 horses, at 100 dollars	4,000
Horizontal sugar mill	4,000
2 sets of boilers, at 1500 dollars each	3,000
Buildings of all descriptions	25,000
12 carts	1,200
30 ploughs	300
All other utensils, such as timber wheels, hoes, spades, axes, scythes, &c.	1,500
	170,000

The annual expenses on the above plantation, cost

10,700 dollars in the following items:	
Provisions of all kinds	3,500
Clothing of all sorts,	1,500
Medical attendance and medicine	500
Annual losses in negroes	1,500
Taxes	500
Horses and oxen	1,200
Repairs of buildings	700
Ploughs, carts, &c.	300
Overseer	1,000

*\$10,700

Two crops of cane are generally made in succession on the same land, one of plant cane, the other of the second year's growth; it then lies fallow two years or is planted in corn and beans.

Gross proceeds	\$23,000
Expenses	10,000
Net proceeds	12,300

Being about 7 per cent. on the capital invested.

The preceding facts, subject to the rule adopted above, might be used to bring out many important results. We shall only take one—the amount of provisions annually purchased by the sugar planters.

As 400 hhd's. of sugar are to 3,500 dollars paid for provisions, so are 100,000 hhd's. to 875,000 dollars, annually paid for pork, corn, and other supplies, chiefly furnished by Kentucky, Ohio, &c. and it should be observed that the supplies of clothing, mills, boilers, carts, ploughs, and other utensils, and of horses and oxen, as well as of slaves, are all derived from other states of the union. We say all—for the foreign products or manufactures which enter into the consumption of the Louisiana sugar planters, are of small importance or value.

"It should be observed, that only 2,000 dollars, of the 10,700 expended, can be brought into those classes of articles on which duties are payable—to wit, for clothing and medicine, being less than one-fifth of the whole expenses, which expenses are less than one-half the ultimate value of the crop.

We contend that negro clothing, generally, has not advanced in price because of the tariff—nay, are prepared to say, that protection has reduced the selling value of goods required for the use of slaves: but admitting that prices are increased because of the tariff—is there not an increased ability to pay them?

On this subject, and with reference to the "taxes" paid by cotton planters, we shall have something to say on a future occasion. The whole cost of such commodities as are "taxed" by the tariff, and used in South Carolina for the supply of slaves and plantations, producing crops worth eight millions, cannot exceed 800,000 dollars. Then she may pay, let us admit, a tax of 400,000 dollars a year on these things. Her proportion of a revenue of 55,000,000 is thus determined—

As 213 representatives in congress are to 25,000,000 dollars, so are 9 representatives in congress from S. Carolina, to 1,050,000 dollars—the just proportion which South Carolina ought to pay, and, possibly, may pay, on her general consumption.

The statement just given has reference to one of the best managed estates in Louisiana. With sugar at 5 cents per lb. on the plantation, its late price, it is stated that the capital employed does not yield 6 per cent. per annum.

The present consumption of sugar in the United States may be put down at 150 millions of pounds—one-third of which is imported. In 1840 it is estimated that 200,000 hogsheads of home made sugar will be required, employing or subsisting about 75,000 slaves, and go on to increase, if the production be protected. Mr Johnston says that Louisiana, alone, can supply the whole demand for sugar in the United States for 25 years to come. But there are large tracts of land fitted for the cultivation in Mississippi, Alabama, Georgia and Florida—especially the latter.

In 1829 there were 725 sugar plantations in Louisiana, and we have seen it mentioned that they have increased to more than 800. Many of them, however, are small estates, or not yet producing much sugar. It requires four or five years to bring them into a state of profitable production.

If all the sugar and molasses consumed in the United States were of foreign product, nearly 10 millions of dollars would be required to pay for these commodities. It would be difficult to find new articles for exportation to meet this amount. At present, the sugar planting in Louisiana, in supplies of food purchased for and consumed on the plantations, in horses and oxen required, in the subsistence of the iron and other manufacturers employed by it, furnishes a home market worth more than two millions of dollars a year to the agriculturalists of the United States. For it must be observed, that the planters, generally, purchase nearly all the corn, pork, oats, flour, horses, mules, oxen, and beef-cattle, which they need. The market thus afforded is incalculably important to the western states.

There are now from 130 to 150 steam engines on the sugar plantations. Their number would have been greater, but for the frequent agitation of the question concerning the duty on sugar.

Of the 100,000 hds. of sugar made, about 50,000 passes up the Mississippi in steam boats—thus shewing, (in the returns added), an interior trade of five millions a year. The remainder of the crop is for the local consumption, or sent to the northern ports—employing a large amount of tonnage.

Mr. Johnston expresses an opinion, that when the estates are paid for, and a general diminution in the value of other things takes place, &c. sugar may be made for four cents a pound. But this low price can be obtained only by continued protection.

We shall say nothing about the reduced value of property in slaves, if the planters are forced to give up the cultivation of sugar; but, if the present value of slaves be about 450 millions of dollars, the want of the Louisiana "market" for them would directly reduce that value not less than 200 millions—and it may be added, that the slaves on the sugar estates are generally better fed, clothed and provided for—than other field slaves—if for no other reason, because they are more valuable. But this is not all. A letter from a gentleman of Louisiana, which Mr. Johnston has approved by publishing it, says that if the labor and capital now given to the cultivation of the cane were transferred to cotton, the increased quantity would be three hundred thousand bales! What would be the effect of this excess in an already over-stocked market—what the effect on real and personal property in South Carolina, &c. where an inferior article is produced? These things are merely suggested—but they involve consequences of the greatest importance to a large portion of the United States—and are deeply interesting to the union at large.

We meet with the following statement as to the amount of sugars imported and consumed in the U.

States—otherwise, the amount of the importations less the quantities exported in the years given:

	White sugar.	Brown sugar.
1821	1,884,701	37,597,072
1822	5,241,622	68,617,248
1823	977,019	38,553,551
1824	8,475,772	71,484,960
1825	890,477	49,044,478
1826	4,747,304	59,008,795
1827	3,270,912	58,093,707
1828	3,367,866	42,687,059
1829	3,020,101	47,953,715
1830	4,557,131	71,900,123

The great fluctuations in the quantities stated, were probably chiefly caused by the fulness or deficiency of the crops in Louisiana. And, as the domestic supply has been large, so has the price of sugar uniformly declined. This is the natural effect of competition.

AVERAGE PRICES OF SUGAR AT PHILADELPHIA.

Years.	Cost.	Years.	Cost.
1818	cwt. \$14 00	1825	9 00
1819	12 50	1826	8 15
1820	10 50	1827	8 75
1821	10 37	1828	8 00
1822	11 50	1829	7 50
1823	9 50	1830	7 62
1824	8 20		

AVERAGE PRICES AT BOSTON.

	Brown Havana.	St. Croix.	Porto Rico.	N. Orleans.
1824	100lbs. 8 62½	8 75	7 75	7 62½
1825	10 62½	10 50	9 87½	9 50
1826	9 87½	9 75	8 50	8 62½
1827	10 50	9 62½	8 75	8 62½
1828	10 62½	9 62½	9 37½	8 37½
1829	9 50	9 12½	7 75	7 50
1830	8 37½	8 75	7 87½	7 50

It thus appears that the general price of brown sugar has declined from 14 dollars to 7½ dollars since 1818. That this reduction has been mainly induced by the domestic supply, we think cannot be doubted—seeing that this supply has increased to two thirds of the whole quantity consumed, and is continually pressing itself forward to meet the entire domestic demand.

The treasury tables of 1829 rate the brown sugar imported as costing 5½ cents per lb.—in those of 1830, the cost of such sugar is put down at 5.7 cents per lb. If these sums are truly stated, the "tax" imposed for the protection of the sugar maker of Louisiana does not amount to much! The Havana and St. Croix's sugars, however, appear by the tables given above, to be worth more in the market by about one cent per lb. than the N. Orleans. There are inferior sugars in the W. Indies which cost less than 5 cts. per lb.—but

* It is often proclaimed, by the opponents of the "American System," that sugar may be purchased for two cents per lb. in the W. Indies. A false impression is thus made in the words of truth. We see that the average cost (at the treasury) of all the sugar imported in the years 1829 and 1830 was 5½ cents per lb. This was very nearly as high as the average price at New Orleans in those years. The best Louisiana sugars, having large grains, that seem alive or moving, were worth from 5 to 5½ cents, and their quality is superior to the general run of foreign sugars imported, for taste and strength—but sugar may be purchased at two cents per lb. in New Orleans as well as in the West Indies. The quality regulates the price from two to 5½ cents, or higher, according to supply and demand.

It is a fact that Porto Rico sugars have not netted one cent. per lb. in the New York market, in the last summer. A removal of the duty then might not have affected the price: it would only have afforded a profit

the treasury tables, which are our best and safest guides, shew that the average price of sugar in the W. Indies, (port charges, &c. included), was not one cent less than the price at New Orleans, regard being had to the respective market values of the several productions. It would then conclusively appear, that the real amount of protection, (admitting that the domestic supply has no effect to reduce the price of the foreign article), is only one cent per lb. which *cent* employs 46 millions of dollars in capital and 38,000 laborers—causes a consumption of between two and three millions worth annually of the products of American farmers and manufacturers, and checks the growth of cotton in the amount of 300,000 bales a year—which excess, if cast upon the demand, would reduce cotton to 6 or 6 cents per lb. and diminish present profits in its cultivation not less than 12 millions of dollars; or twelve times as much as the protection afforded to sugar apparently amounts to. We say “apparently,” for we have no doubt that the cultivation of the cane in Louisiana has a perpetual tendency to reduce the price of sugar in the West Indies. It cannot, indeed, be otherwise.

The large tracts of land that may yet be brought into the cultivation of the cane, forbids the idea of a “monopoly” for at least fifty years to come. Continued protection will yet further reduce price. Domestic competition, though sometimes injurious to individuals, is always safe to the people at large.

Statement of the quantity and value of molasses imported annually, from the 1st October, 1820, to the 30th September, 1829, together with the average cost per gallon, in each year.

YEARS ENDING.	Quantity.	Value.		Average cost per gallon.
		Gallons.	Dollars.	
30th Sept. 1821	9,086,992	1,719,227	18	9
“ 1822	11,990,569	2,398,355	20	
“ 1823	13,019,328	2,634,222	20	2
“ 1824	13,117,724	2,413,643	18	3
“ 1825	12,535,062	2,547,715	20	3
“ 1826	13,843,043	2,838,728	20	5
“ 1827	13,376,502	2,818,982	21	
“ 1828	13,393,651	2,788,471	20	6
“ 1829	10,150,224	1,484,104	14	8
“ 1830	8,374,139	995,766	12	nearly.

We have the following statement of the cost of molasses in the West Indies—expenses of the cask 7 cents per gallon, leakage and small charges 3, original cost 3—total 13. This is considerably lower than the average value put down in the treasury tables, though 1 cent more than the cost per gallon last year. Freight and duty are to be added to make up the value in the U. States. The cost of freight on molasses from New Orleans to the Atlantic ports, is about the same as

to the importer. Yet this sugar came partially into competition with our own—though nearly its whole value was made up of duty, freight and charges, leaving but one cent per lb. to the producer. Had not the domestic supply been large enough to determine the general value of sugar in the New York market—it is manifest that the American consumer must have paid a price that would have allowed a profit to the West India producer, or American importer—but the home supply caused a loss to both, and protected the consumer. This is an operation which oftentimes takes place—and must, because that increased supply necessarily affects price. There is no manner of doubt, but that the protection of domestic industry has reduced the general cost of foreign commodities, in almost every instance, and with special reference to every leading manufacture which has had time sufficient to become established amongst us.

from Havana, but employs more tonnage, reference being had to the quantity transported.

We do not admit that duties must needs be “taxes”—nor shall we contend that they always reduce the price of those foreign commodities on which they act—but it is pretty well ascertained that such reductions have happened. The price of molasses in the United States averaged 57½ cents a gallon for the 12 years from 1816 to 1827 inclusive, when the duty was five cents a gallon; but for the three years 1828, 1829 and 1830, when the duty was ten cents a gallon, the average price was only 27 2-3 cents per gallon. A reduced price in the U. States, certainly, succeeded an increased duty: and a reference to the table just above presented shows, that the cost of the foreign article was 19.6 cents from 1821 to 1827 inclusive, the duty being 5 cents, and only 15 3 cents in 1828, 1829 and 1830, when the duty was 10 cents per gallon. And this it was that brought down the first cost of molasses to three cents per gallon, as stated in a preceding paragraph. It had been much more, and is now, at the latest advices about 11 cents per gallon, exclusive of the cost of the cask, duties and all other charges—the whole cost being about than 21 cents per gallon. The price at New Orleans, on the levee, that is, ready for shipping, all charges paid, is 26 cents. This molasses is 2 or 3 cents per gallon better than the Havana, generally. The middling and inferior qualities of the New Orleans, we see in the prices current, are worth five cents per gallon more than the like qualities of Havana molasses, in the Baltimore market. Thus the duty on the latter would appear practically inoperative; and so, indeed, it is partially rendered by the better commodity of domestic product.

In support of the probable facts just suggested, it may be mentioned—that salt at Turk’s Island, was 10 cents a bushel, when our duty was 20 cents,—but now 20 cents, the duty being 10 cents. May we not believe that this advance in price has been, more or less, caused by our increased demand? Can we do otherwise than apprehend, that that demand will reduce the domestic manufacture of salt? The present price of Turk’s Island salt at Baltimore is 43 cents per bushel—duty 10 cents. At this time in 1830, it was about 47 cents—duty 20 cents. We shall see if this salt does not hold an increased price compared with the amount of the duty. Such has been the result of past experience—and like causes have not failed to produce like effects.

Good Louisiana sugar sold at Louisville, Kentucky, in January 1829, at 7½ cents by the barrel. 39,063 hhd. and 1756 bbls. of sugar and 18,429 hhd. and 2,805 bbls. of molasses were sent to the northern ports of the United States from New Orleans in the year ending 30th September 1828—the up-river trade was about the same. In 1829, the whole product was 87,965 hhd. of sugar, and 39,874 hhd. molasses—208 additional plantations were commenced in this year; that of 1830–31 has been computed at 100,000 hhd. sugar and about 45,000 hhd. molasses.

We shall conclude by offering the following exhibit of the

Consumption of sugar in Great Britain.		
In 1700 it was only	10,000 tons; or	22,000,000 lbs.
1710	14,000	31,360,000
1734	42,000	94,080,000
1754	53,270	119,320,000
1770 to 1775 average	72,500	162,600,000
1786 to 1790	81,000	181,500,000

During the first half of the last century the consumption of sugar increased five fold.

The duty on foreign sugar is a prohibitory one of 68 shillings a cwt. On East India sugar 37 shillings, or 10 shillings more than on West India sugar. From the Mauritius, it is, by a special provision, allowed to be imported at the low duty.

At present (1831) the revenue derived from sugar and molasses in Great Britain and Ireland may be estimated at about 5,000,000*l*. Thus,—
 160,000 tons consumed in Great Britain
 at 2*l*s. per cwt., duty is 4,320,000*l*.
 16,000 do. in Ireland at do 430,000*l*.
 20,000 do. molasses at 10*l*. per ton, converted into coarse sugar, baskets and treacle, 200,000*l*.
 4,950,000*l*.

The price of sugar, exclusive of the duty, may be taken at an average of the last few years at from 30 to 35 shillings.

This small table is presented to show the extent to which Great Britain proceeds to defend her West India colonies. She prohibits foreign sugar, and levies an *extra* duty of 10*s*. per cwt. (or more than two cents per lb.) on the produce of her own East India colonies; but the whole duty that we impose on foreign sugar to protect our own production, is no more than 3 cents per lb. And this strong fact further appears, that sugar in England, at the average of 32*s*. 6*d*. exclusive of the duty, but taking into consideration the general rates of exchange, or *actual* per of the value which we place on the dollar, measured by that which England places on gold, or her pound sterling, is very nearly eight dollars per cwt. or as dear as our sugar at Boston, though "taxed" three cents per lb. as we are told that it is! There is much matter for reflection in the facts just stated.

REPORT ON FOREIGN TARIFFS.

The committee appointed to prepare and report a schedule of rates and duties exacted on the principal exports of the United States, in the ports of Great Britain, Holland and Belgium, France and Russia; and the duties levied on some of the exports of those nations, when imported into the United States, beg leave to report:

That they have no data to enable them to comply with the instructions of the convention, so far as regards Holland and Belgium.

BRITISH DUTIES.

The duties on bread stuffs are prohibitory, unless in times of dearth.

For example—

When the quarter of wheat, of 8 Winchester bushels, averages 45*s*. the duty is 4*l*s. or about 90 per cent. and in that proportion for flour.—When the price of the quarter of wheat is 50*s*. the duty is 36*s*. 3*d*., or about 70 per cent. When the quarter is 62*s*. the duty is 24*s*. 8*d*. When the price of the quarter is 68*s*. the duty is 16*s*. 8*d*.

When barley is 16*s*. per quarter, the duty is 37*s*. 10*d*., or nearly 240 per cent. When the price is 24*s*. the duty is 23*s*. When the price is 33*s*., the duty is 13*s*. 4*d*.

When rye is 19*s*., the duty is 40*s*. When the price is 16*s*., the duty is 22*s*. 9*d*.

The duty on rice is 15*s*. sterling per cwt. being somewhat more than 100 per cent.

On manufactured tobacco per lb. 9*s*. sterling, or about 2,000 per cent.

On leaf tobacco 3*s*. per lb. or 1,200 per cent.

The duties on our lumber and some other articles, are from 400 to 1,500 per cent. more than on similar articles imported from British colonies. The difference is so great, that if the articles were procured here gratis, and transported free of freight, they would not in many cases be worth shipping.

We annex a few instances, out of above fifty, enumerated in a recent British publication.

	From the U. States.	From British Colonies.
Fir quarters per 120,	362 <i>s</i> . sterling	65 <i>s</i> .
Wainscot logs,	55 <i>s</i> .	12 <i>s</i> .

Olive wood, per ton,	169 <i>s</i> . 6 <i>d</i>	12 <i>s</i> . 4 <i>d</i>
Oars, per 120,	299 <i>s</i> . 3 <i>d</i>	19 <i>s</i> . 6 <i>d</i>
Spermaceti oil, per ton	532 <i>s</i> .	1 <i>s</i> .
Un-enumerated timber, per ton	28 <i>s</i> .	5 <i>s</i> .
Castor nuts, per cwt	18 <i>s</i> . 8 <i>d</i> .	6 <i>d</i>
Lath wood, above 12 feet long, per fathom	272 <i>s</i> .	25 <i>s</i> .
Hemp seed	40 <i>s</i> .	1 <i>s</i> .

In consequence of the difference, so far as regards lumber, the whole amount of the various species of this staple, which we exported to Great Britain in 1829, was \$23,565.

FRENCH DUTIES.

The regulation of the duties on the importation of bread stuffs into France, are somewhat complicated. There are four classes of departments, in which the averages, whereby the duties are ascertained, vary considerably. It is not necessary to go into detail of the whole, and we shall therefore confine ourselves to the third class in which Havre and Rouen are situated.

When the price of the hectolitre (two Winchester bushels and seven-eighths of wheat, at Havre, is below 20 francs (3 dollars 69 cents), the importation is prohibited; when the price is above 22 francs, the duty is 25 centimes per hectolitre, when at 22 francs the duty is 1 franc 25 centimes; when at 21 francs, the duty is 2 francs 25 centimes; when below 21 francs, the duty is 8 francs.

N. B. A new system of duties on bread stuffs is at present before the chambers.

When the price of wheat at Havre is above 22 francs the hectolitre, the duty on rice is 50 centimes per hectolitre; when at 22 francs, the duty is 2 francs 50 centimes; when at 21 francs, duty 4 francs 50 centimes; when at 20 francs, duty 6 francs 50 centimes; when below 20; duty 9 francs 75 centimes.

Manufactured tobacco is prohibited altogether. Leaf tobacco can only be imported for consumption by the *regie*. The fabrication and sale are a government monopoly. Individuals may, however, import leaf tobacco, to be stored, and re-exported within eighteen months, unless purchased by the *regie*. Tobacco stored for the purchase of the *regie*, or for exportation, pays no duty.

RUSSIAN DUTIES.

Duty on leaf tobacco, per lb. about	2 cents.
Tobacco in rolls, or cut, and of all kinds of smoking, per lb.	29½
Cigars and snuff,	71
Fish, salted, smoked, or prepared in any way	7
Bowsprits, yards, masts, and ends of masts per peice	64
Spun cotton, per lb.	8
Colored cotton,	9½
Wheat, per bushel,	25
Flour, double the duty on wheat.	

Russia does not depend for the protection of her manufactures on prohibitory duties. She prohibits, under penalty of confiscation, nearly all the articles with which she can supply herself. There are in her tariff from forty to fifty prohibitions, many of them general, embracing various species—for instance, all kinds of skins, all manufactures of iron, of fine steel, wood, leather, gold, silver, platina, &c. &c. &c.*

AMERICAN DUTIES.

On British merchandise.

It would extend this report too far, to notice the various articles imported from Great Britain; we

*We stop the press to say, that, by a new Russian tariff just received, an additional duty of 10-12 per cent. has been laid on all imports, excepting brimstone, corks and cork wood, and the duty on certain specified articles has been further increased.
 Permanent Committee.

shall therefore confine ourselves to the principal ones—iron, woollens, and cottons.

The duty on iron in bars or bolts, \$37 per ton.

Iron in pigs, 62½ cents per cwt.

Vessels of cast iron, 1½ cent per lb.

Castings not specified, 1 cent per lb.

The duty on woollens below four dollars per yard, is 45 per cent.—above four dollars, 50 per cent.

But cases occur in which the duty is much higher: as woollens below 50 cents, pay duty as if they cost 50 cents; above 50 cents, and below one dollar, they pay duty as if they cost one dollar; above one dollar, and below \$2 50, they pay duty as if they cost \$2 50; and if above \$2 50, and below \$4, as if they cost \$4. Thus a yard of broad cloth that cost \$3, is rated at \$4, and pays \$1 80, being 60 per cent. But the importers here, and the shippers in Europe, knowing the state of the tariff, regulate their orders and supplies accordingly; and it is believed that the quantity imported that pays higher duty than 45 or 50 per cent, bears but a very small proportion to the great mass of our importations of woollen goods.

Cotton goods below 35 cents the square yard, pay 25 per cent. on 35 cents. Those at and above 35 cents, pay 25 per cent. duty on the actual cost. This duty is almost as prohibitory of all the very low priced cottons, as the British corn laws are of our bread stuffs.

On French merchandise.

The principal articles imported from France are silks, brandies, wines, and cambrics.

The duty on French silks, is 20 per cent.

On brandy, according to proof, per gal. 53 to 63 cts.

Wines, 10 cents.

Cambrics, 25 per cent.

On Russian merchandiss.

The principal articles imported from Russia are iron, hemp, flax, cordage, and sail duck.

The duty on iron is already stated under the head of the duties on British merchandise.

Tarred cordage is 4 cents, and untarred 5 cents per lb.

Sail duck, 10½ cents per square yard. It is to be raised half a cent a year till it reaches 12½.

Hemp, 60 dollars per ton.

Flax, 50 dollars per ton.

It cannot be irrelevant to state, that on all the merchandize rated ad valorem, imported into this country in 1830, amounting to \$45,230,926, the duties averaged only 25.78 per cent.—of the whole amount \$12,618,862 were below 25 per cent.—23,168,079, at 25 per cent.—and only \$9,443,995, above 25 per cent. The total importation of that year was \$70,876,920, of which \$12,746,245, were free of duty, leaving about \$12,909,749 for teas, coffee, cocoas, wines, sugar, salt, coals, spices, and all manufactured articles subject to specific duties.

All which is respectfully submitted

MATHEW CAREY,
ABBOT LAWRENCE,
J. W. McCULLOH,

Committee.

New York, October 31, 1831.

REPORT ON WOOL AND WOOLLENS.

Report of the committee on the manufacture of wool.

The committee directed by the convention of the friends of Domestic Industry, convened in New York in October last, represent to the permanent committee, that the committee on the manufacture of wool forthwith issued circulars, with various interrogatories, to the manufacturers of wool, in the several states represented in the convention. That they have as yet received but partial returns, and ask leave of the permanent committee, for further time to complete their report. It is much to be regretted, that the requisition of the permanent com-

mittee cannot earlier be complied with, in submitting the actual returns. But when it is considered over what an extent of country these inquiries reach, it is not surprising that information of such magnitude should require more time for the actual returns. From information already received, and from calculations based upon that information the committee are justified in submitting the following as general results:—in thus doing, they, with much confidence, believe that the amount will fall short of the actual returns, as to the ultimate value of the manufactures of wool.

All which is respectfully submitted.

(Signed) E. H. ROBBINS, chairman.

No. 1.

The probable number of sheep in the United States is 20,000,000, and worth on an average \$2 per head, \$40,000,000

The sheep farms generally do not support three sheep to the acre, summer and winter, though the land be pretty good and well managed. Of the 20 millions of sheep, it is supposed that about 5 millions are in the state of New York, having had 3,496,539 in 1825, the latest returns at hand; and it is known that many of these sheep are fed upon lands worth from 15 to 30 dollars per acre—and in Dutchess county, in which are over 500,000 sheep, the lands on which they are fed are worth about \$25 per acre. It is then probable, that the average worth of farms in the United States, capable of supporting three sheep to every acre, throughout the year, are worth \$10 the acre: 20 millions of sheep will require 6,666,666 acres—say 6,500,000 acres, at \$10 65,000,000

Capital in sheep, and lands to feed them \$105,000,000

The 20 millions of sheep produce 50 millions of pounds of wool, annually, the average value of which, for three years, 1829, 1830, 1831, exceeded 40 cts. per lb. or \$20,000,000. (The crop of 1831, was worth more than \$25,000,000.) The crop of wool, having reference to the whole quantity made into cloth of various qualities, is worth \$40,000,000, which is about the gross annual product of wool and its manufactures in the United States. If the woollen goods imported, valued at 6 millions of dollars, be added, there will be allowed for each person in the United States, 3¼ dollars worth of woollen goods per annum, including blankets, carpets, &c. as well as clothing.

The fixed and floating capital vested in the woollen manufactures in the United States, such as lands, water rights, buildings, machinery and stock on hand, and cash employed, may be estimated at 40,000,000

Capital directly vested in the growth and manufacture of wool \$145,000,000

The proportion between the amount of wool used in the factories and worked up by household industry, are as 3 to 2; and on the average, it will employ one person to work up 1,000 lbs. of wool annually, or 50,000 persons in the whole.

It is reasonable to suppose that each laborer subsists two other persons:—

say 150,000 in all, deriving a direct support from the woollen manufacture, whether household or otherwise. Each person will consume at least twenty-five dollars worth of agricultural products annually, or \$3,750,000 worth of subsistence.

The average products of farms, cultivated for the supply of food, does not exceed \$2 50 per acre yearly, after subsisting the cultivators and those dependent on them. It will therefore require 1,500,000 acres of land to feed those manufacturers and their dependants—worth, say \$15 per acre, is

22,500,000

Capital Involved in the growth and manufacture of wool in the U. S.

\$167,500,000

The annual value created by, or accruing to agriculture, because of the growth and manufacture of wool, may be thus shown:

Wool,	\$20,000,000
Provisions to manufacturers,	3,750,000
Fuel, timber, and other products of the land, supplied,	500,000
Charges for transportation, and food of horses and other animals employed, because of the factories,	500,000
	\$24,750,000

The following should rightfully be added, to show the whole operation of the woollen manufactures in the U. States:

For every 100,000 lbs. of wool manufactured, there is a constant employment, equal to the labor of six men, in the erection and repair of buildings, mill wrights and blacksmiths' work, and in the building and repairing of machinery, whether for wool worked up in the factories or in families—say 3,000 men, whose labor subsists at least 9,000 other persons—12,000 in all, and consume each \$25 worth of agricultural produce, annually, is

300,000

\$25,050,000

Making the whole number of persons employed, because of the manufacture of wool, 162,000; and requiring of the product of agriculture, for materials and subsistence, the very large amount, per annum, of twenty-five millions and fifty thousand dollars. And it should be observed that there is no foreign market to which we can send our 25 millions worth of wool and bread-stuffs and meats. It would all be as if annually lost to landholders and cultivators were the home-market destroyed, in abandoning the manufactures of wool; and those who are now consumers of the products of agriculture, must, of necessity, become producers, and lessen the prices of grain, &c.

No. 2.

The subject of the woollen manufacture might be much further pursued, as to the employment of persons and capital in various other branches of industry connected with it. Making of iron, mining coal, the whale fishery, the foreign and coasting trade, and all the dependent interests. The woollen manufacture is a great stimulant to the whale fishery, consuming annually about 180,000 gallons of oil.

The following statement will show its benefits to the navigating interest alone, independent of the coasting trade and fisheries.

A woollen factory, manufacturing 100,000 lbs. of wool per annum, into 40,000 yards of 6-4 wide cloths, will require of the productions of foreign countries, on which freights would accrue, as follows:

20 pipes of olive oil from Leghorn, a \$10 per pipe	\$200
100 boxes (of 100 lbs. each) of oil soap a \$1	100
4,000 lbs. of Bengal Indigo, at 3 cents per lb.	120
15 tons dye wood a \$6	90
3 tons madder, a \$10 (Holland)	30
600 gallons sperm oil,	200
Other articles of foreign production	10

\$750

The freight on the above 40,000 yards from Europe to the United States, is known to be, and is so set down at

500

Gain to our navigation in freight on the manufacture of every 100,000 pounds of wool,

\$250

NOTE BY THE PERMANENT COMMITTEE.

It is worthy of remark, as shewing the great international exchanges of value caused by manufactures—that, though New York probably produces one-fourth of all the wool grown in the United States, Massachusetts manufactures one-fourth. The first exports large quantities of wool and flour and cattle, &c. to Massachusetts—so does Pennsylvania and the far-west. The wool sold by the farmers of the small state of Vermont, last year, is estimated as having been worth \$1,200,000.

COASTING TRADE AND INTERNAL COMMERCE.

Mr. D. W. Cox of Pennsylvania, in behalf of the committee to which was referred the subject of the coasting trade and internal commerce of the United States, and the inquiry how far the protection of American manufactures had tended to improve them, made the following REPORT:

That these great interests are so intimately connected with each other, and with the foreign relations of the country, that it will be necessary to examine the entire ground in order to understand the subject in all its aspects and bearings.

The exports of domestic produce and manufactures for the year ending the 30th Sept., 1830, are divided according to the treasury report as follows:

Of the sea,	\$1,725,270
Of the forest,	4,192,047
Of agriculture,	46,977,332
Of manufactures,	6,567,353

Amount of domestic produce,	\$59,462,032
Exports of foreign produce and manufactures during the same period,	14,387,479

Making the total amount of exports for that year,

\$73,849,511

The imports from foreign countries, during the same time, were

70,576,920

The exports employed of domestic tonnage,

971,760 tons.

Of foreign do.

133,436

Aggregate tonnage employed in exporting for the year,

1,105,196 tons.

The real aggregate amount of American registered and coasting tonnage for the year ending the 31st December 1829, was

1,260,798 tons.

Whereof the registered employed in foreign trade, was	650,143
enrolled, and licensed coasting tonnage,	610,655

1,260,798*

To which add vessels sold to foreigners, lost and condemned, in 1829, 43,240 tons.

Also add the difference during a period of many previous years, arising from sales, losses, and condemnations, never before corrected, 514 452

557,692,

The apparent aggregate tonnage before the account was corrected, thus appears to have been 1,818,490 tons.

The apparent aggregate of the year 1828, was 1,741,391 "

The increase in 1829 over 1828, was therefore 77,099 tons.

It appears, by the foregoing statement of the tonnage of the United States, that there has been a misconception in regard to its real amount, arising from the omission until last year, to credit the tonnage account kept by the treasury department, with the accumulated list of losses, sales, and condemnations for many previous years. It must however be recollected, that many vessels owned in the United States, trade under foreign flags, and therefore do not appear in the tonnage account. It is also well known, that the great improvements made in ship-building of late years, by combining the carriage of large burdens with fast sailing, have given this country a decided advantage over all others in the despatch of business; whence it may be inferred that the United States gain in celerity—in the performance of effective duty, and the preference obtained in the freighting business, at least one-fifth over their most judicious competitors (the British), so that it would not be extravagant to estimate the 1,260,798 tons of American shipping as equivalent, at one-fifth gain, to 1,512,957 tons of that of other nations. It may be here remarked, that the magnitude and extent of the American bays, rivers, and lakes, call into existence two descriptions of boats, unknown in Europe, which navigate the Mississippi, Alabama, Tombigbee, and other large rivers of the west and south, with their tributary waters. These boats, carrying 30 to 50 tons, are to be seen in countless numbers, on the Mississippi and Ohio especially, and are not licensed, or noticed in the custom house reports. By a conjectural estimate they amount from 150 to 200 000 tons, on the various waters of the U. States. To these may be added, the coal-boats of the Susquehanna, Delaware, Lehigh, Schuylkill, and Lackawanna, which this year delivered 200,000 tons of coal at Philadelphia, Baltimore and New York. This single item employed last year 1,172 coasting vessels, measuring 100,966 tons, and will, when coal becomes more generally used for steam engines and domestic purposes, require probably more tonnage than the entire present amount of our coasting trade, and ere long will far outstrip the fisheries, which in 1828 employed 100,796 tons. The steamboat tonnage is now about 75,000 tons, having greatly increased within the last two years. By means of steam the transfers and exchanges of merchandise are now effected with a

celerity that can only be compared to the remittances of bank notes and drafts by mail, or to the circulation of the blood through the arteries and veins of the human body. It is a truly national vehicle, the practical and political benefits of which, by bringing distant points of the union into closer contact, will soon receive a more thorough development by the completion of the system of rail-roads and canals, now in a course of execution.

In approaching the consideration of the value of the annual internal commerce of this great and growing country, the committee are aware of the difficulty of ascertaining its precise amount and extent, there being no fixed and determined data to aid their investigation, as in the case of imports and exports passing through the ordeal of the custom house. They have however essayed different modes in order to approximate to something like a satisfactory result. 1st. Estimating the average annual exports and imports at only 70 millions of dollars each, employing about 1,100,000 tons of American and foreign shipping, and supposing those two sums quadrupled, as well as the number of voyages or trips made by the tonnage employed in the coasting and internal communications of the country, it gives a gross sum of 560 millions of dollars, as the value of the floating mass of property annually changing hands and in a state of transit through the United States. 2d Test. the population of the United States is now 13 millions of souls; one fifth whereof, or 2,600,000 persons, are probably of a productive age and capacity, earning for 300 days in the year, seventy-five cents, as the estimated value of their labor to the country, which would produce a sum of 585 millions of dollars. Now, this would appear a moderate computation on Adam Smith's principle, that "the gross revenue of all the inhabitants of a great country, comprehends the whole annual produce of their land and labor." 3d Test. Suppose the daily expense of 13 millions of inhabitants for food, raiment, repairs of and replacing implements of labor, education, amusement, and all incidental expenses, equal only to twelve and a half cents each, it gives a fraction less than 587 millions of dollars, Again: 4th Test. France, according to high authority, with a population of 32 millions of souls, derives from agriculture, commerce and manufactures, an annual income of 7,000 millions of francs, equal at 5 francs to the dollar to 1,400 millions of dollars, which in the ratio of the population of the United States, gives 570 millions of dollars gross revenue. These various comparisons seem to justify the conclusion, that 700 millions of dollars are not too large an estimate for this country, where labor is better rewarded than in the old world*. The composition and details of this sum, it would, however, be impossible even to surmise, until the reports of the different committees, appointed on the various branches of manufacturing industry, shall have been completed. Thus it appears, that the 70 millions of dollars exported from the United States, form only one-tenth part of their aggregate annual income, and as the greater part of the returns or imports consist of articles manufactured by machinery from wool, cotton, silk, flax, hemp, wood, iron and other metals, it follows that the United States exchange their rude products and manual labor against commodities which they might with the aid of that machinery,

* "It will be found on a calculation, that if only \$100,000,000 of accumulation or profits, were added every year to the fixed capital, improvements and money investments of a country, they would, either on the principle of compound interest, or by the simple effect of an annual addition, so augment in value, as greatly to resemble the fable of the barley-corn or horse-shoe nails.

* The whale fishery employed by the last returns 290 ships, measuring 102,500 tons, valued at \$7,500,000, and their fishing avails at \$3,540,000.

and a small addition of manual labor, manufacture at home. Considering trade, therefore, as but an exchange of commodities, it is evident, that the nation whose labor is so divided and applied as to produce the greatest variety and value, exchanges with others to the greatest profit; and the country which gives its rude materials in return for manufactures, labors to a disadvantage proportionate to the multiplying power of the machinery used by the other party—that is, the labor of one man in the United States is given in payment for the 100th to a 300th part (as the case may be) of one working in Europe. This is partially exemplified by the improved spinning frame, which produces, with the accompanying apparatus, and the aid of a boy, as much yarn as 460 common spinning wheels. These inferences are corroborated by the fact, that the cotton, which costs here six millions of dollars, is worth, when manufactured in the United States, by machinery, thirty millions of dollars; but in England, where finer goods are made, the same quantity of cotton produces about sixty millions of dollars. This corresponds with Mr. Huskisson's general estimate of the aggregate value of the cotton manufactures of Great Britain, which he stated in 1826 at 37 millions sterling, equal to 180 millions of dollars—that is, the 18 millions of dollars cost of 350 millions of pounds weight of cotton annually consumed in England, is multiplied tenfold in value by machinery.—Here, then, is a solution of the problem of British wealth and power, the foundation of which is manufactures, considered as the creation of the inventive power of man.

The effect of adequate protection to this most important branch of industry, may be made intelligible to the plainest understanding, by the following statement:—The one million of bales of cotton grown annually in the United States, would produce, with the aid of machinery, and a small proportion of their population, (five-sixths of which might be females and children, as in Great Britain), the amazing sum of three hundred millions of dollars. The spindle and the loom, put in motion by steam and the extensive waterfalls so common in this country, would equip fleets, pay armies, build cities, sustain agriculture, nourish commerce, and spread their influence over the multifarious arts of civilized life.

Immediately connected with this immense mass of floating property, estimated at seven hundred dollars, and with the fixed capital and real estate of the nation,* is a uniform and sound currency, as the instrument of circulation and distribution by means of which sales, purchases and exchanges are effected. Emerging from the war of the revolution, deeply impressed with the baneful effects of a depreciated paper currency, the framers of the present constitution saw the necessity of a fixed national standard of money, and accordingly the sole power to regulate commerce, levy duties and taxes and coin money was vested in congress, and the states prohibited from emitting bills of credit, tendering, or making any thing but gold and silver a tender in payment of debts. The first bank of the United States and the mint were established at the same session. Although the restricted power of the states might fairly have been construed into an interdiction to establish banks circulating paper in the nature of currency, yet the circumstance of the existence of the bank of North America at the period of the adoption of the federal constitution, furnished the states a pretext for extending those institutions, to the manifest perversion of the spirit and meaning of the limitation of power

*The capital invested in manufactures alone, is estimated at 250,000,000, and it is worthy of remark, that the annual consumption of cotton, estimated at 800,000 bales, exceeds all that S. Carolina exports of that article, which last year was but 185,166 bales

just referred to. State banks soon multiplied throughout the union, in many of which the states themselves became partners, and thereby more directly violated the prohibitory clause. The expiration of the charter of the first bank of the United States the year previous to the war with Great Britain in 1812, excited a powerful feeling among the state institutions against its renewal, which only failed in the senate by the casting vote of the vice president, so that with the fall of that important institution at the approaching crisis of hostilities with England, all check and control over the issues of notes by the state banks ceased, and the subsequent suspension of specie payments was followed by further and yet more extravagant issues. The effect of those measures it is well known was so to deluge the country with bank notes as to cause their depreciation, and contributed to give that fictitious value to property of every kind, which five years after led to the necessity of chartering the present bank of the United States as the sole means of compelling a return to specie payments. The sacrifice by which this important event was preceded and followed, conveyed a salutary lesson both to the states and the general government, which cannot be lost to the nation. If the principle is to be considered as now settled by long usage, that the state bank notes are henceforward to constitute a part of our circulating medium, experience has also demonstrated the paramount necessity of a great national institution to manage the fiscal concerns of the nation, collect and distribute its revenues, control and regulate its currency, give security and stability to property, and support and assistance to those banks which are prudently managed. Without a national currency, receivable at the most distant points, the union itself would be insecure, and its money concerns with the whole business of sales, purchases, exchanges, and remittances, liable to be again thrown into utter confusion, by the fluctuating and uncertain value of state bank notes, for which no other remedy can be suggested than either a circulating medium exclusively metallic (as in France), or a great national institution, administered on the liberal and comprehensive principles of the present bank of the United States. With a view to some ulterior deductions, the committee present the following comparison between the currencies of the three principal commercial nations in the world, Great Britain, France and the United States.

That of Great Britain and Ireland, consisted of about \$320,000,000, half of gold and silver, and half of bank notes.

That of France of about \$450,000,000, all specie, excepting about one-tenth.

That of the United States consisted on the 1st of January, 1830, of the bank notes of 330 banks, including that of the United States, the aggregate capitals of which amounted to \$145,000,000, their joint circulation in notes to \$62,500,000; and their deposits, which must be considered as money, to \$55,500,000; making a total of \$115,000,000, which is sustained by a sum of only \$22,000,000 in specie, deposited in the different banks, making no part of the circulation. It is also conjectured that the silver coins actually circulating in the United States, and which form no part of the above \$22,000,000, amount to about \$10,000,000. This sum of \$10,000,000, is supposed equivalent to the bank notes on hand, and not circulating when the specie is out, so that the aggregate currency is as above stated, about \$115,000,000. From these estimates, drawn from Mr. Gallatin's considerations on the currency and banking system, it appears that the currency of the United States is greatly inferior in point of metallic security to that of France, and even less solid than that of Great Britain. Hence the obvious re-

cessity, owing to our intimate relations with those countries, and the multiplication of state banks in this country, connected with the misjudged opposition of some of the states to the bank of the United States, of observing a greater degree of caution in a paper circulation now consisting of the notes of 330 banks, and which are going on increasing. A currency so diversified, extending over 24 states, can with difficulty be maintained in a sound condition, by even the controlling influence and vigilant precautions of one great federal institution, which has the arduous duty to perform, of aiding and supporting all the sound state banks, with a view to its own security and the maintenance of public and private credit. The prodigious extent and magnitude of that system, may be inferred from the foregoing data, and the additional fact that during the year ending the 30th June last, the bank of the United States and its branches purchased bills amounting to \$44,033,520, and furnished drafts to the amount of 42,123,161, besides transferring \$12,460,000, for the government, from one point to another of the Union, and exchanging nearly \$100,000,000 with the state banks, constituting an aggregate of about \$200,000,000 in the nature of circulation, besides its discounts and loans. In these operations the people of the United States have the satisfaction to behold the security afforded by a sound currency, regulated and sustained by an institution truly national in its origin, its purpose and its management, to the immense mass and value of property constantly in motion, in addition to the fixed capital and real estate of the country. There are however, some highly disadvantageous circumstances connected with the exchanges with foreign countries that require particular notice. As already remarked, France and Great Britain, with which the foreign trade of this country is chiefly carried on, possess a more solid metallic currency than the United States, and are therefore less liable to be affected by a free issue of bank notes or a sudden withdrawal of specie, as often occurs here by over importations, or an unfavorable state of the foreign exchanges. These over importations are the natural consequence of the long credits given on duties on imports, coming of late years principally from England, which on certain goods are equivalent to the first cost; thus a person obtaining a credit in England of twelve months for \$10,000, and ten months (the average credit) on the duties here, acquires the use of \$20,000 to speculate or trade upon for nearly twelve months. So that if a house in England or the United States becomes embarrassed, relief may be obtained by this easy method, as is well known to the government, which has sustained heavy losses on duties bonded, but never paid. With such inducements and facilities to overtrading, the country is constantly inundated with a flood of goods from England, which being thrown immediately into the hands of auctioneers, are instantly sold, and bills or specie (as may best suit) forthwith remitted. Importations rapidly succeed each other, and the obvious result is, that exchange rises, the banks are drained of their specie to ship to Europe, discounts are curtailed, circulation is diminished, pecuniary distress follows, goods fall for the moment, a deep wound is inflicted on domestic industry, especially on the manufacturing classes, and for this evil the country demands a remedy. Fortunately it is not difficult, and consists in the adoption of the same warehousing system practised in Europe, with the abolishment of all credits on duties. There is yet another evil which contributes with the foregoing to the frequent and sudden disappearance of specie. The gold coins of the United States are rated about four per cent. below the British standard, and consequently, whenever the state of exchange favors the

operation, gold is sent in preference to bills, and in truth this inequality, of comparative value with silver, furnishes a never-failing inducement to collect and hoard it up with a view to the European demand.

From this cause the gold coins vanish as fast as they issue from the mint, or what is the same thing, the gold bullion is shipped without being coined. This inconvenience admits of as speedy a remedy as the other. Congress has only to enact a law, raising the value of gold to the same relative proportion to silver that it bears in England. Indeed it is of the highest importance that the standard of value of the precious metals should be the same throughout the commercial world.

Your committee next proceed to the consideration of other points affecting the prosperity and internal commerce of the United States, which though of a less specific character, and not coming strictly within the terms of the resolution under which they act, appear to fall within its general scope and intention.

It is obvious that the unrestricted intercourse among nations, recommended by modern economists, can only be the result of conventional stipulations between the parties, in the form of treaties, or the reciprocal abolition of duties or interdicts on each other's industry, and that such relaxation, if beneficial as a general measure, ought to commence with the governments whose capital, skill, and low rate of wages, place them on the vantage ground, and not from one yet in a comparative state of infancy, and deficient in those essential prerequisites to a perfect equality in the proposed liberal competition for the benefits of free trade. A reference, however, to the actual condition of the commercial world, will show that no such changes have taken place, or are in contemplation, and indicates better than abstract reasoning or theories, the true position of the United States. This will appear to be marked by numerous peculiarities, distinguishing it in a remarkable degree from that of the old world, requiring a distinct policy, and that its industry and efforts should be directed rather into the new channels opening throughout the western hemisphere, than confined to those long clogged and obstructed by the restrictive measures of Europe.

The artificial colonial system of that portion of the globe, can furnish no just rule of conduct for a nation, which having burst the fetters which bound it originally to that system, now finds itself occupying rival and opposite ground, connected with the principles on which that separation was accomplished. A very superficial glance at the origin and progress of commerce and manufactures elsewhere, may serve to elucidate this subject, and fix our contemplation on that new era and condition of the civilized world, in which it found itself placed by the prominent events of the last forty years. After Europe had begun to emerge from the barbarism and ignorance in which it lay buried during the long benighted period of the middle ages, one of the incidents which accidentally contributed to the advancement of civilization and industry, was the chivalrous fanaticism that led to the invasion of the holy land. The return of the crusaders, especially the Venitian and Genoese vessels, from that distant expedition, first introduced into Italy the fabrics of Asia and the East. Manufactures of silk and cloth were thus established in the Italian cities, and an inland intercourse commenced with India. A taste for these luxuries soon communicated itself to Spain, Portugal, Flanders, the Hanseatic towns, and subsequently to France and England; each alternately became the seat of trade, and the rising arts, which changed their abode, or fixed their residence, as adventitious causes happened to attract them. The

ambition, rivalry, and competition of the world, have since driven them to and fro, as the winds impel the currents, the clouds and the tempests. It may here be remarked, that this fact is at variance with the supposition that nature designates by soil, climate, or other marked preferences and indications of superior fitness, the exclusive occupation and destiny of every nation. The error is yet more signally exposed by another remarkable fact. The Baltic countries, with their vast mines and foundries of iron, produce notwithstanding its superior quality, no fine cutlery or hardwares, like Birmingham or Sheffield. Spain, with the finest merino fleeces, is not distinguished for her cloths; while England, on the contrary, originally importing her iron, without the fine wool, or cotton of more favored countries, rivals them all in those important branches, and in spite of her inability to propagate the silk-worm, now competes successfully with France in the substance and quality of her silken fabrics; and as if to baffle and refute all calculations on the advantages of original possession, Italy, Spain and Portugal, which took the lead in the discoveries and commerce of India and the Americas, have lost their consequence, and sunk into inactivity and indolence. Finally—manufactures, like commerce, have taken deepest root and flourish most in those countries which were the last to introduce them, and where they seemed likely to abide, until driven or attracted into some new channel.

Your committee cannot here refrain from advertising to that period when England, from whose good stock the American people are chiefly descended, planted this favored land with her discontented sons, who fleeing from political and religious oppression, during the reign of the house of Stuart, brought with them that knowledge of their natural rights and the principles of the British constitution, that hatred of tyranny, which laid the foundation of civil liberty in these States. The circumstances connected with the first settlement of this country, and which attended its subsequent career until its final separation from Great Britain, were so peculiar and auspicious to the inculcation and establishment of constitutional freedom, as to authorise the presumption, if not belief, that no nation in the lapse of ages can ever again arise, uniting so many and such perfect materials with which to build a great and imperishable political fabric. The abolition of the rights of primogeniture—equality of property, allodial or freehold tenures of land, are precious ingredients in the composition of its government, and with the wise and general provision for education, are sufficient to ensure its permanence and security, whilst the greater part of Europe, on the contrary, presents the sad spectacle of a population debarred by its institutions and the feudal origin of its titles, from any prospect of bettering its condition—hence, they feel a stronger interest in the overthrow, than in the maintenance of the peace and order of government—while here, on the contrary, every individual has a direct interest in its support. There is one remarkable difference between this country and the maritime powers of Europe. They possess colonies, the commerce of which they claim a right to monopolize, to the exclusion of American navigation, except as a matter of favor or concession, while the United States, without colonies, have the superior advantage of an extensive yet compact territory, embracing all the varieties of soil and climate, with most of the productions of the temperate and torrid zones. Their distance moreover, secures to them all the benefits of an insular position, free from the dangers of too close a proximity to those who are now more powerful than themselves. This circumstance of situation, which has in latter times materially influenced and even determined the fate of many of the weaker pow-

ers, is impressively exemplified in the arrangements of the congress of Vienna, and the important events now passing in regard to Holland, Belgium and Poland, as well as the constant struggle for the maintenance of the balance of power, wherein the U. States have heretofore avoided any connection. With a territory equal in extent to four-fifths of all Europe, comprising most of its productions, and those of its extensive colonies, with a common language, government and laws, encircled and intersected by the ocean, lakes and rivers affording a connected chain of inland navigation, this country is literally, as to all the benefits of agriculture, commerce and manufactures, a world within itself; and were Europe tomorrow sunk in the ocean by a convulsion of nature, these states would flourish with even accelerated rapidity, by the mere intrinsic force and influence of their own internal elements of prosperity. The contiguity of Mexico and the Canadas, the vicinity of South America and the West Indies, with a decided superiority over them all in wealth and intelligence, place their destinies in the hands of the United States, whose distance from the old world renders their navy powerful, in proportion to that distance, for all the purposes of defence at home or annoyance abroad. It is an ominous presage in regard to the future prospects of this hemisphere, that it is equal in size to about one-third of the habitable globe, is the richest in its productions, and more capable of sustaining a numerous population than Europe and Africa combined, and that the population of the U. S. progressing in the ratio of 33 $\frac{1}{3}$ per cent., as it has done every ten years since 1790, will in twenty years be twenty-two millions, in forty years, thirty-nine millions, and in sixty years will reach the amazing number of seventy millions.

It is a remarkable feature, which greatly fortifies the pretensions of the United States to future greatness among the powers of the earth, that they embrace within themselves all the substantial elements of a *separate and independent existence*. No other country combines all these advantages within its metropolitan limits. Here, cotton, sugar, rice, wool, flax, hemp, hides, iron, zinc, lead, copper, and coal, and even gold, abound, beside all the grains, roots, vegetables and woods of Europe, with many others peculiar to this region. Salt and sulphur, now extensively made, with indigo, and raw silk,* the olive and vine, may be added to the list, whenever the necessary stimulants are applied to their production and propagation.

It is a consideration of vital importance to this country, that nations whose exports consist almost exclusively of rude materials, and which have no manufactures; must not only remain dependent on others for many of the necessaries and even comforts of life, but forego all the advantage of multiplying their value by machinery, and of a profitable exchange and commerce with other countries, especially with that portion of the world which is yet their inferior in point of skill, ingenuity, and knowledge of the mechanic arts. Such is, in some respects, the condition of the United States. It is moreover notorious, that a determined and unrelenting spirit of monopoly and exclusion from its colonies, had been originally engrained on the commercial system of Europe, and has since continued to signalize its measures and conduct. Great Britain, especially, had early taken decisive ground, and having wrested the trident from Holland in the war of 1652, the island of Jamaica from Spain, and subsequently the Canadas from France, and thus being mistress of all North America, except Louisiana, she extended her rigorous interdicts even to her own infant colonies, and prohibited their making any article which her own workshops could supply. Even the cattle and salt provisions of Ireland were not allowed to be carried to England. Her legal enactments abound with proofs of an illiberal spirit which sullied all her measures, and finally compelled this country to deny her constitutional right of taxation

* Great Britain consumes raw silk annually, of the value of \$17,000,000, and France double that sum.

without representation, and to break the chains of its colonial vassalage.

The want of power and utter incompetency of congress, under the old confederation of 1778, to regulate commerce with foreign nations and between the states, by a uniform system of revenue, and a tariff of duties for the purpose of defence and the protection of domestic industry and the shipping interest, was felt severely on the return of peace with Great Britain in 1783. Although the states enjoyed free trade and uninterrupted foreign intercourse, as respected the mere privilege of importing goods and buying in the cheapest market, they were notwithstanding going rapidly to decay, and tending towards dissolution. The government could neither countervail the injurious restrictions of, nor treat for terms of reciprocity with foreign powers; they had no equivalent to offer, nothing to concede in return for the privilege of trading with the ports of Europe and its colonies. In this condition of affairs, after a fruitless experiment of three years, a convention of consultation assembled at Annapolis in 1786, where the seeds of the present constitution were sown, which soon resulted in its successful establishment, and laid the foundation of the protective system in the tonnage and impost acts of 1789. From that period till the year 1793, a prosperous and increasing commerce, springing from the simultaneous occurrence of the war of the French revolution and of the new constitution, raised the tonnage of the United States from 205,000 tons, in 1789, to 627,000, in 1793; but England, jealous of the prosperity of its enfranchised colonies, aimed a blow at their navigation by her orders in council of the latter year, which swept it from the ocean, and eventuated in the treaty of '94, granting partial indemnity for her past spoliation. France next took umbrage at the reconciliation with her enemy, which gradually ripened into partial hostilities; but scarcely was this wound healed, when both belligerents sought fresh pretexts for insulting and violating the American flag; for although the United States enjoyed, on the whole, a highly lucrative trade from that time down to 1806, yet it was insecure, and in a constant state of jeopardy as the premiums of insurance sufficiently prove throughout the entire period. Finally, the affair of the Chesapeake and the virtual blockade of the coast by British cruisers, aggravated by insult and blood, followed by the orders in council, and Berlin and Milan decrees, produced the embargo, non-intercourse, and non-importation measures, which finally resulted in hostilities with Great Britain. On the return of peace in 1815, a more determined policy of protection of manufactures, (the want of which, during the war, had been severely felt), was commenced in 1816, and subsequently confirmed by the acts of 1824 and 1828.

Your committee here resume the course of their explanatory remarks. In the rise and progress of Great Britain herself, originally a Roman colony, afterwards conquered alternately by the Saxons, Danes, and Normans, we behold the phenomenon of a nation advancing through all the subordinate grades of civilization, to the loftiest eminence of power and dominion. She now presents the most extraordinary instance of productive industry in every department of labor, of which the world furnishes any example, all the result of protection. To comprehend her system in all its aspects, is perhaps the most instructive lesson that history affords, to either the statesman or philosopher. With institutions, learning, private virtue, and constitutional freedom, which furnish altogether the best model of human greatness, that the most refined and polished ages can boast; yet is she at this moment so excited and convulsed by attempts to reform the abuses of her complicated political system, as to involve the issue of the conflict in great doubt and uncertainty. If wars of ambition, conquest, and monopoly, in Europe, have led to oppressive taxes, public debts, and all the train of evils that are now undermining its institutions, will the American people consent to contribute and pay a quota of those expenses? Such, however, would be the effect of not countervailing the restrictions and prohibitions of other nations—of refusing full protection to domestic industry!

The colonial system meanwhile is fast crumbling to atoms—Spain and Portugal have lost their most important possessions; St. Domingo is independent; the Canadas will in time probably follow our example; the British West Indies, deprived, by the regulations of the mother country, of a cheap supply of provisions and lumber, have become almost valueless; British India, more remote, is temporarily secure, but will ultimately shake off its allegiance. The tendency of all these changes is highly advantageous to the United States, by giving greater scope to their commercial and manufacturing operations. The governments of the continent are intent on protecting and encouraging their own industry, as essential to their existence; while Great Britain, whose prosperity and power have hitherto been sustained, as regards her external relations, by a monopoly of the supply of others with her fabrics, fostered by her maritime ascendancy, now begins to experience a decline; that is, numerous competitors, and this country among the number, claim the privilege of supplying themselves, as well as a share of the business and profit of the trade of the world. In its present condition, no nation can possess a permanent and lucrative commerce, unless based essentially upon manufactures, and it is equally true, that the countries whose exports are confined to raw materials, are generally poor. The examples of Spain, Portugal, Russia, Poland, Denmark, Sweden, and Turkey, amply justify this assertion. Who are the real receivers of the precious metals, and have been so for more than a century? Not the owners of the mines, surely, but Great Britain and France, who have paid for them with their fabrics, extensively introduced into the mining regions. To the question, have these countries been enriched by that traffic, or has their industry been smothered in the embraces of the mistress of the seas? Their poverty furnishes an impressive answer. Let the United States take warning from these fatal examples. If the stupendous capital and resources of Great Britain are not the offspring of the principle of protection and encouragement of her internal industry, the effect of which is seen in the application of the steam engine to labor-saving machinery, whence are they derived, or what nourishes and sustains her agriculture and wide-spread commerce? It is well known that the astonishing discoveries and improvements made within the last half century, have effected an entire revolution in the productive powers of labor. The mind of man has penetrated and analyzed the long concealed properties of matter. In the arts of peace, as in the science of war, genius, skill, and intellect, commands success, when and wherever they have chosen to assert their way. A wise and provident government, by rewarding and protecting the meritorious efforts and exertions of its people, can awaken and direct at pleasure, its energies and enterprise, and teach it to triumph over obstacles formerly deemed insurmountable. Identity of language and habits with the great and powerful nation from which we sprang, has rendered its knowledge and experience common property for every practical and useful purpose, and both its skill and capital domesticate themselves among us, almost as naturally as in their native soil. The manifest tendency of the whole protective policy is to augment the inducements to emigrate to the United States, for just in proportion to the reduction in the price of goods in England, and difficulty of selling, from the operation of our tariff, is the motive strengthened for removing hither. Its repeal would therefore produce the double injury of crippling the infant establishments of this country, and of preventing the transfer of theirs.

Although your committee have extended their remarks further than they at first intended, yet the great interests involved in the subject embolden them to trespass somewhat longer on the patience of the convention. The philanthropic theory of free trade can only rest on a pre-supposed equality and reciprocity of benefits in the intercourse between nations, and the opinion that man, if left to himself, knows best how to take care of his own interest. If this principle however is analyzed, it will be found as difficult of execution as it is unphilosophical in reference to human nature. In a civilized state man gives up a portion of his liberty the better to secure the remainder—but why restrict liberty

and not regulate his conduct in the social compact? Why leave his great and vital interests to shift for themselves, and struggle against rivals who are constantly plotting their ruin? Why guard and cherish the liberty of the subject, and leave his labor unprotected? the duty of government towards both is equally imperative and obligatory. Where both are thoroughly secured, there will they establish their dominion, and exert their influence for the benefit of man; where either is neglected both will perish, for the end and object of liberty is security to life and property—it is to feed, clothe and shelter the people. Not to protect your own industry, is virtually to abandon and subject it to the tyranny and control of foreign nations. The exertions of each to promote and stimulate the energies and enterprise of its inhabitants, augments production, and causes the greatest aggregate prosperity. If the weaker nations neglect this duty, they confer in reality a monopoly on the strongest, who, in that event, impose their own terms and conditions. Each government can enjoy free trade, equality and reciprocity within its own jurisdiction, so far as qualified liberty will allow. The constitution of the United States for instance, provides that all taxes and impost duties shall be uniform throughout the states; but this uniform principle is totally inapplicable to nations in their intercourse with each other, because universal consent and submission to the rule can never be obtained. But its impracticability as well as its impolicy is demonstrable on other grounds. Nations, like men, have their periods of youth, maturity and old age, and the same unbending rule is no more applicable to every stage of their advancement, than a particular food and raiment to the different periods of human life. An old manufacturing country like England, and a young agricultural one like the United States, in its colonial condition, derive mutual benefit from the interchange of the products of their industry—their wants are different, and their traffic reciprocally convenient. In like manner England and her colony of New Holland exchange to mutual advantage, they are both gainers, but this will not continue. New Holland, like the United States, will improve—new interests and wants will spring up as she advances, and she will finally manufacture for herself, and covet independence. Old nations, on the contrary, circumstanced as France and England, have little to gain from each other. They are now friends, but unable to agree on the terms of a treaty of commerce. The French minister lately told the British ambassador that the theory of free trade was very good, but as France was behind England in capital, skill and machinery, there was no equality in it at present, but it might perhaps suit them fifty years hence. So the negotiation proved abortive.

As between the United States and Great Britain the case is nearly the same—fifty years hence, the United States will number fifty-three millions of souls and will then be able to compete with her on even terms. At present England wishes to exchange the labor of her machinery against American manual labor, being in the ratio of its productive powers more than two hundred to one against the United States. This country can, however, exchange advantageously with Spain, Portugal and their former American colonies. They are all yet in a comparative state of infancy as to the progress of industry, manufactures and the mechanic arts, so that both parties will gain by the intercourse.

England (says Mr. Robertson in a late speech in parliament) derives more benefit from her exports of manufactures to Portugal with its two and a half millions of people, than from all her trade with France, Denmark, Sweden and Norway with their forty-five millions untaxed, and supplies her with nearly all her cod-fish at fifteen per cent duty, while the United States pay thirty per cent. This inequality resembles the exclusion of lumber and staves from this country by a prohibitory duty, while these articles from Canada are freely admitted, both into the British ports and West India colonies.—The American government is, however, endeavoring to effect a reduction of the duty on fish by a treaty with Portugal, and may succeed if not prevented by British interference. The plain solution of the friendship of

Great Britain for that wretched country is, that she levies five dollars per head on its aggregate population in exchange for annual supply of manufactures and salt fish, and receives payment in some wine and fruit and the balance in specie. Mr. Robertson went on to state “that it was idle to endeavor to persuade other nations to join them in adopting the principles of what was called free trade—they knew that free trade meant nothing more nor less, than by means of the great advantages Great Britain enjoyed, to get a monopoly of all the markets for their manufactures, and prevent them one and all from becoming manufacturing nations.”

Chaplain remarks, that the long wars of Europe have taught nations to cultivate their own resources, and rely less on foreign supply and consumption. A temporary sacrifice in order to secure the acquisition of a valuable manufacture, is as wise and prudent as to expend a few years labor in bringing a farm under proper cultivation with a view to future profit, or to plant an orchard, a nursery or a forest, which is to yield remote benefit. The coincidence of natural and artificial advantages has never before been so strikingly marked as in the United States. The great agents in manufacturing operations of fire and water, with the most important raw materials and unrivalled mechanical genius, are here concentrated, and constitute, as your committee believe, an anomalous case in history. Here moreover, man labors for his own benefit, is lord paramount of the soil he cultivates—is at once sovereign and subject, the governing and the governed—a principle which imparts an elastic energy to the mind, known only in this land of liberty. If knowledge is power, then also is it a more efficient capital than the mere precious metals can supply. It germinates in the mind. Home industry is more emphatically the patent right, the exclusive privilege of every country, but peculiarly so of the American people—it is the very essence and vitality of wealth and power, and let it never be forgotten, of morality and happiness likewise. With a judicious system of roads and canals, it becomes the surest pledge of union and independence,—the sacred link which holds the states together by the ties of one common interest. As well might government infringe and violate the vested right that every man holds in his own invention and discoveries, as permit the interference of foreign with domestic labor, identified as that foreign labor is, with the creations of machinery constantly working in its exchanges against the manual production of raw materials in this country.

In conclusion. As the final extinguishment of the public debt will necessarily lead to a reduction of the revenue with a view of accommodating it to the diminished expenditure of the country, much caution will be required to effect it in such manner as not to lessen the security which it has been the constant policy of government to afford to domestic industry. The cotton and sugar planters, the wool growers and the iron masters have been adequately protected, as well by the duties originally imposed on the raw material, as on the foreign manufactures made therefrom, but your committee are not aware that any thing has been done for the great grain growing region of the United States, as both justice and an enlarged policy would seem to demand. Rice finds a market at all times in Europe, but wheat, corn and flour, are virtually prohibited.

In submitting the annexed schedule of duties, which will not only be repealed without injury to domestic industry, but even beneficially as regards commerce and navigation, they have added the amount of duties which accrued in 1828 on spirits of all kinds, whether made from grain or other materials. Should congress deem it expedient to raise the duty on the last mentioned article to the rate now payable in Great Britain, (that is five dollars per gallon) it would be nearly prohibitory, though not so much as to preclude the opulent and the luxurious from indulging in the use of it. Even England levies 8d. 6s. sterling per gallon on rum from her American colonies, and 20s. sterling from the East Indies, a striking evidence of the wisdom of that government in protecting her own grain with the double view to its consumption by distillation, and in brewing malt liquors. With such admonition, will this country do less for the

cultivators of its own soil, and leave them dependent for a sale of their grain on the precarious and uncertain demands of foreign nations? Your committee would further remark, that if a repeal of the duties on wines, fruits, olive oil and silks, should be decided on by government, an opportunity would be afforded for obtaining some corresponding relaxation and benefit by negotiation from France, Spain, Portugal, Sardinia and Italy, which produce these articles.

Sweet or olive oil is the basis of the finest soaps, and its exemption from duty would therefore add an important manufacture, and not interfere with the fish and other oils of this country. All which is respectfully submitted.

STATEMENT exhibiting the amount of duties which accrued on the following articles between 30th September 1830, deducting what was exported, and showing the probable annual consumption.

N. B. As the partial repeal of the duties on tea and coffee, did not take effect till after September 1830, it does not reduce this estimate.

		Duty.	
Silks from India	\$1,000,000	36 pr. ct.	\$360,000
other places	4,000,000	22	880,000
Watches & parts of watches	310,000	12½	38,750
Pearls, precious stones, &c.	65,000	"	8,125
Tin and plates	361,000	15	54,150
Opium	37,000	"	5,550
Raw silk	10,000	"	1,500
			—1,348,075
		Gall.	Duty.
Wines—Madeira	166,000	2	50 cts.
Sherry	48,500	50	117,250
Red, France & Spain	1,110,000	10	111,000
not enumerated	1,180,000	15	177,000
Sicily and other countries not enumerated	300,000	30	90,000
			—495,250
		Pounds.	Duty.
Teas—Rohea	149,000	12 cts.	17,880
Souchong	1,676,000	23	419,000
Hyson skin and other green	1,685,000	28	471,800
Hyson and young hyson	3,140,000	40	1,256,000
Imperial	280,000	50	140,000
			—2,304,680
		Pounds.	Duty.
Coffee	58,500,000	5 cts.	1,925,000
Cocoa	1,000,000	2	20,000
Almonds, currants, prunes, figs,	3,160,000	3	94,800
Raisins in jars	3,260,000	4	130,400
other	2,700,000	3	81,000
			—2,251,200
		Pounds.	Duty.
Spices—Ginger	9,000	2	40
Nutmegs	54,250	60	32,550
Cinnamon	4,000	25	1,000
Cloves	38,000	25	9,500
Black pepper	1,100,000	8	88,000
Pimento	1,340,000	6	80,400
Cassia	100,000	6	6,000
Books not English, Latin or Greek	90,000 vol	4	3,600
			—221,090
		Duty.	
Brass in plates	\$10,608	25 per ct.	\$2,652
Saltpetre, crude,	32,214	12½	4,027
Camphor,	107,000 lbs	8 cts per lb	8,560
			15,539

Olive oil yielded in 1828	39,477
Brittles, do do	10,727
Vinegar of wine, do	3,162
	\$6,689,200

The quantity of spirits of all kinds whether made of grain or other materials was 4,446,698 gallons, the duty on which at 50 19-100 cents was 2,231,847

\$8,921,047

N. B. Indigo in 1828 produced on 1,084,491 pounds at 15 percent. ad valorem a duty of \$162,673, but as it will next year pay the full duty of 50 cents per pound, which will fall principally on the manufacturing interest, its continuance, unless the southern states intend to undertake its cultivation, presents an interesting question of policy in which the feelings and wishes of the south ought to be consulted.

If desirable, a reduction of the postage would further lessen the revenue.

RHODE ISLAND MANUFACTURES.

The following—(though a mere abstract of the reports of the central committee of Rhode Island to the chairmen of committees selected by the New York Convention, who have not yet reported to the Executive Committee)—is published, to show the important facts and mighty results which are expected to flow from our gatherings of statistical knowledge.

Providence, February 9, 1832.

To H. NILES, ESQ.

Sir: The following are copies of the reports of the state central committee to the chairman of each of the committees of the New York Convention, upon the manufacture of cotton and wool, and also of the reports upon several other branches of manufactures, in the state of Rhode Island, condensed from the actual returns of the sub-committees.

MANUFACTURE OF COTTON.

In this state there are 116 establishments for the manufacture of cotton, containing 235,753 spindles and 5,763 looms, with all the necessary apparatus and preparation for the same.

Cost of the establishments, including land, water power, buildings, improvements and machinery \$4,617,340
Floating capital employed, or stock in trade 1,645,000

\$6,262,340

These establishments consume annually 10,415,578 pounds of cotton, produced in the United States, and spin from it 9,271,481 pounds of yarn, from number 6 to 50, which is woven into 37,121,681 yards of cloth, from 2 to 5-4 wide, which sells at an average of about 10 cents per yard, four-fifths of it in the United States, and one-fifth in foreign markets.

Of the other leading articles used in these establishments are,

26½ tons of iron and steel of foreign and domestic manufacture, (used for repairs)
61,407 gallons sperm oil from the Pacific ocean;
41,299 pounds leather from New England, N. York and Pennsylvania
1,673 barrels starch from New York and Pennsylvania

Besides these, are a great variety of other articles of foreign and domestic growth and manufacture, amounting to a very large sum, which is annually expended in manufacturing the above cloth.

These establishments are mostly located in small villages, (which have been built up by them), in different parts of the state, and 17,567 persons reside at and are supported by them; 8,500 persons are constantly employed in them, consisting of 1,731 men, 3,297 women and 3,472 children.

The aggregate annual amount of their wages is \$1,177,527, of which they save 25 per cent. over and above their expenses of living.

CONSUMPTION OF PROVISIONS.

By the people residing at and supported by these establishments, viz:

12,718	bbls. flour received from the middle and southern states;
90,501	bushels corn received from the middle and southern states;
3,203	bbls. pork our own farms, Connecticut, N. York and Ohio;
2,446	bbls. beef our own farms, Connecticut, New York and Massachusetts;
371,375	pounds butter our own farms, Connecticut, New York and Vermont;
320,525	pounds cheese our own farms, Connecticut, New York and Vermont;
141,132	pounds lard our own farms, Connecticut, N. York and Ohio;
1,176	hhd. molasses N. Orleans and West Indies;
356,764	pounds sugar N. Orleans and West Indies;
617	chests tea, East Indies;
2,158	quintals fish, from the ocean;
7,163	bushels salt, of domestic and foreign manufacture.

In addition to the foregoing there are many articles of provisions, and a general assortment of both foreign and domestic manufactured goods, to the amount of \$1,500 for every 1,000 spindles, annually consumed by the people residing and supported at these establishments.

CONSUMPTION OF FUEL.

Factories, containing 141,000 spindles are warmed by 1,410 tons anthracite coal from Pennsylvania—and factories containing 95,000 spindles are warmed by 1,400 cords of wood, from the forests of this state, at the average cost of \$4 per cord, at the place of consumption. 18,880 cords of wood are also consumed by the families residing at these factories, viz: 8 cords of wood by each family, and 10 families for each 1,000 spindles.

Computation of the materials and labor for erecting the buildings for the manufacture of cotton, viz.

An establishment of 1,000 spindles requires

200 cords building stones;

35,000 bricks

125 casks lime

25,000 feet of timber

4,000 " " roof boards

12,000 " " under floor boards

12,000 " " lathes

20,000 " " white pine boards from Maine;

7,000 " " white pine planks from Maine;

12,000 " " floor boards from North Carolina;

40,000 shingles from Maine and North Carolina;

20 tons wrought and cast iron;

1 " steel;

8 " nails;

15 windows, 24 lights, 7 by 9 glass, each.

Labor in erecting the buildings amounting to \$3,000.

It is also computed that 1,000 spindles, in the manufacture of cotton, will constantly employ 50 tons shipping through the year.

BLEACHERIES.

Immediately connected with, or dependent for employment upon, the foregoing establishments, are 5 bleacheries, the cost of which, including land, water and steam power, buildings, improvements and machinery

\$208,000

Floating capital, or stock in trade

20,000

\$228,000

These bleacheries constantly employ 300 persons, two-thirds of them men, one-third boys and women—aggregate annual amount of their wages \$69,500—

PRINCIPAL ARTICLES CONSUMED IN BLEACHING.

241,556	lbs. pot and pearl ashes from New York and Maine;
153,730	" chloride of lime or bleaching salts, from Scotland;
130,691	" sulphuric acid, or oil of vitriol, from New York and Massachusetts;
231,929	" starch, from New York and Pennsylvania;
121	casks lime, from this state;
730,000	feet white pine boards, from Maine;

5,250	lbs. nails, from this state and Massachusetts;
675	reams paper, from the same;
1,335	gallons sperm oil;
2,525	tons anthracite coal;
320	cords of wood;
Other articles of stock amounting to \$6,210.	

PRINT WORKS.

There are also 2 establishments for printing calicoes in this state.

Cost of land, water power, buildings, improvements and machinery	\$62,000
Floating capital, or stock in trade	150,000
	\$212,000
186 persons constantly employed; their aggregate annual wages	\$40,000
Principal articles used in printing calicoes, Indigo, madder, copperas, barks and other dye stuffs	\$47,375
Chemicals, &c.	18,000
Cost of grey cloth printed	239,000
	\$304,375

Also, 22 casks lime, 80,000 feet boards, 1,500 pounds nails, 76 reams paper, 550 gallons sperm oil, 275 tons anthracite coal and 1,400 cords wood. Cloth annually printed 3,100,000 yards.

MANUFACTURES IN IRON AND STEEL.

Connected with the establishments for the manufacture of cotton, (principally), are—

10 foundries and

30 machine shops—

Cost of land, water power, buildings, and machinery

\$602,000

Floating capital, or stock in trade

200,666

\$802,666

1,242 men are constantly employed—and a much larger number indirectly occupied and supported.

Aggregate annual wages of the former \$453,203—

Principal articles consumed—

4,368 tons iron and steel;

2,958 " anthracite coal;

1,000 cords wood;

350,000 feet lumber;

\$18,060 worth of charcoal and many other articles.

PRODUCTS.

Principally, machinery for manufacturing cotton, equivalent to 50,000 spindles, preparation and looms, value \$927,000—

also, 67,400 scythes;

2,000 doz. hoes;

700 " axes;

The foregoing does not embrace several hundred blacksmiths shops and other small establishments, which manufacture a variety of articles, of which iron and steel are the principal materials.

MANUFACTURE OF WOOL.

Cost of establishments for the manufacture of wool in this state, including land, water power, buildings, improvements, machinery, and floating capital, or stock in trade,

\$263,000

These establishments annually consume—

425,000 pounds of wool, costing

123,750

Also 545,000 do. cotton for warp, cost'g

70,450

383 persons are constantly employed in these establishments—their aggregate annual

wages amount to

68,500

Besides the above, 612 persons belong to the families of the above and are maintained by their wages.

Value of the cloth annually manufactured,

573,000

For particulars of the various articles used in the above establishments, see the original returns.

The same statements, computations and remarks, made with regard to the several articles consumed in the cotton manufacturing establishments, and in relation to the people connected with and dependent upon them, and the consumption of provisions, &c. by these people,

apply in proportion to the magnitude of the establishments, respectively, to the *bleacheries, print works, machine shops, and foundries*, and also the *woollen factories*—but it is deemed superfluous to repeat them.

MANUFACTURE OF JEWELRY AND COMBS

In Providence there are 27 establishments for the manufacture of jewelry:

Capital employed,	\$100,200
232 persons employed—aggregate annual wages,	67,680
Value of manufactures,	228,253

In Providence and Scituate, (Clayville), in the same county, are two establishments for the manufacture of combs:

Cost of stock annually used—153 persons employed,	\$31,000
Aggregate annual wages,	31,128
Value of manufactures,	69,500

The following is a valuable report from Mr. Whitaker, the owner of the principal comb factory, showing his estimate and views of the manufacture of combs in the United States.

Providence, Jan. 12, 1832.

To the chairman of the state central committee:

Sir,—Enclosed, I hand you a statement of the Clayville comb manufacturing company, up to the 31st December, 1831. The manufacture of combs has been, and is, an increasing business in the United States. There were but few combs made previous to 1820, and these were of the most ordinary quality. From the best information I can obtain, the amount now manufactured annually—

From horns, exceeds	\$ 850,000
“ Tortoise shell,	250,000
“ Ivory,	250,000
	1,350,000

The above stock costs over 600,000 dollars, all of which pays an *ad valorem* duty of 15 per cent. and the same duty is payable on combs imported. The Clayville manufacturing company paid, in the two last years, over 4,000 dollars in duties on the horns used by them. Above 200,000 dolls. worth of combs of all descriptions, but principally horn combs, are annually exported from the United States. Within the last year we have executed large orders for the Cuba markets, which shews that we are competing with the European manufacturers, who have been in the habit of shipping combs to those places.

The manufacture of *shell* has risen to the highest state of perfection; the finest work is done by females, and they are more profitably employed in the wrought shell and horn comb manufacture, than in any manufactures that I am acquainted with.

The duties on tortoise shell, ivory, horns and sponge, ought to be taken off. Neither of these articles is produced in this country, except horns, and of them, not half the quantity consumed.

Yours, respectfully, JOSIAH WHITAKER.

All which is respectfully submitted.

Yours, truly, BENJ. COZZENS,
of the Permanent Central Committee.

WHALE FISHERY.

The following communication, forwarded to the chairman of the permanent committee, by the member to whom it was addressed, was laid before the executive committee, and ordered to be published.

H. NILES, chairman.

Boston, Nov 11, 1831.

SIR:—I noticed among the statements made to the tariff convention recently held in N. York, that every branch of American industry was protected, with but few exceptions; and among these exceptions the fisheries were mentioned. This would appear to be the case to most persons—but to a practical man, who is connected with the business, and has looked to the continuance of the indirect protection with deep solicitude, (so far as regards the whale fishery),

it appears quite the contrary; and from the following statements it will be made manifest, that, if the cotton and woollen factories are not sustained by an adequate protection, a large proportion of the ships engaged in the sperm whale fishery must go out of employment, or be thrown upon the freighting business—thus destroying a vast nursery of seamen, and, at the same time, creating a ruinous competition in a branch of industry already represented, by many who are engaged in it, as not worth pursuing. It is a well established fact, that from one-fourth to one-third of all the sperm oil imported, is used in the factories of cotton and woollen goods—averaging about half a gallon to each cotton and woollen spindle; besides what is used by the numerous mechanics connected with factories. By the statement here-with handed, you will perceive the vast increase in the importation of sperm oil since 1815; and the continued increase or diminution is entirely dependent on the protection afforded to the manufactures of the country, and the duty now existing on the importation of *olive oil*. Of the last mentioned oil, considerable quantities are used in the woollen factories, giving employment to a considerable amount of tonnage—which quantity, no doubt, would be much increased if the duty were taken off—but this reduction of duty on olive oil would be very fatal to a considerable portion of the interest engaged in that valuable branch of domestic industry, the sperm whale fishery, supposing that protection to the woollen manufacture is continued. If, however, that protection be withdrawn, the duty on olive oil may as well be removed as not, as but little will be wanted in the country, (excepting salad oil,) and the law will be a dead letter. To give you an idea of the value of the protecting laws to the ship builders, rope makers, sail makers, coopers, coasting trade, farmers, &c. as well as to the country generally, I herewith furnish you with some of the principal articles which are used by the present fleet of three hundred ships, as often as they are fitted for sea—viz:

36,000 barrels of flour,
30,000 barrels of beef and pork,
18,000 bolts of duck,
3,000 tons of iron hoops,
6,000,000 staves,

2,000 tons cordage and whale warp,
with large quantities of iron for harpoons, lances, spades, blubber-hooks and cambouse grates; much molasses, rice, beans, peas, corn, tea, coffee, sugar, &c. and not less than 6,500 officers and men to man the ships. These ships give more employment to mechanics, of various descriptions—I should think twice as much, as the same number of tons engaged in any other trade. The sperm oil ships require to be coppered every voyage, and the quantity of copper consumed by the 300 ships, will average annually 700,000 pounds, which, with the nails used to put it on, will be equal to three quarters of a million pounds annually. The quantity of sperm oil imported for 1815 was 3,944 bbls. of 3½ gal. each.

1816	7,539
1817	32,650
1818	18,625
1819	21,323
1820	31,708
1821	45,000
1822	42,900
1823	87,230
1824	92,380
1825	62,240
1826	52,840
1827	93,180
1828	73,077
1829	79,840
1830	106,829

and, for 1831, the import of sperm oil will be about one hundred and ten thousand barrels, and the consumption is equal to the supply; ninety-seven thousand barrels have already arrived. The quantity of the common whale oil, annually reported, has been about equal to the import of sperm oil, till this year, when it will exceed that of sperm oil. The whale oil already imported, since January 1, 1831, is one hundred and twelve thousand barrels, and there probably will be a further import of 5 or 6 thousand barrels before the 31st December, 1831. The whale oil is chiefly exported to Europe, as well as the whale bone—the latter amounting to over one hundred thousand pounds. This article is taken exclusively from the common or black whale. The sperm oil is consumed within the United States, as no other country excepting Great Britain, makes much use of it, and she, by her protective laws, excludes the sperm oil from this country by a duty of about 45 cts. on the gallon. But for such duty we should drive the British from the whale fishery, [generally] notwithstanding the bounty paid by their government for its protection. We should also destroy the French fishery, but for the protection afforded by two French governments, in duties and bounties.

The United States is the only government where the people are extensively engaged in the whale fishery which does not encourage this branch of industry by a bounty.

I have not been able to condense my remarks on this very important subject, within a narrower compass. It is a branch of great magnitude in a national point of view; but, I regret to say, that it is very imperfectly understood. It is a better nursery for seamen than any other; as almost every ship carries out from 5 to 10 green hands—whereas, in the merchant service, the ships carry so few men that they are necessarily obliged to take able bodied seamen, to the exclusion of green hands. Yours, very respectfully,

C. W. CARTWRIGHT.

The quantity of sperm candles, manufactured from 100,000 bbls. sperm oil, is rising two and a half millions of pounds. This part of the business came near escaping my recollection. C. W. C.

The editor of the REGISTER takes leave to add a few particulars and remarks.

Great Britain allows a bounty of one pound per ton on every vessel that shall proceed and return from the whale fishery in the Greenland sea or Davis Straits, or the seas adjacent.

Special bounties, some as high as six hundred pounds on a vessel, engaged in the southern, or sperm whale fishery, and bringing home not less than 30 tons of oil, or head matter, have been allowed. The details are too extensive for insertion—but the preceding shows the spirit of the British laws, as to bounties on the whale fisheries.

The protection is in the duties imposed on oil. Train oil, &c. if imported in British vessels, owned in Europe, and navigated according to law, pays a duty of 5s. per tun of 252 gals.—if in vessels owned in certain plantations, from 13s. 4d. to 5l. 10s. 10d. per tun—but if the product of foreign fishing, 22l. 3s. 4d. per tun. And on sperm oil, there is paid on the first class of British vessels, 8s. 3d. per tun, and, if of foreign fishing, 34l. 18s. 3d. per tun. So that the British market is completely shut against American competition. There is no doubt, if the trade were free, that no British ship would be employed in the whale fishery. The industry and perseverance, economy and skill of our fishermen, is without rivalry.

Another gentleman computes the annual product of our whale fishery at 3,500,000 dollars, and the value of the ship at \$7,500,000.

The importance of this employment, as a nursery for seamen, may be partially conjectured from the

fact—(communicated soon after the event by a distinguished officer of the navy), that among the crew of the constitution frigate, when she captured the Cyane and Levant, were more than two hundred freeholders. They had been fishermen; and the matter stated shows the character of this people.

The communication of Mr. Cartwright passed to the permanent committee through the hands of a woollen manufacturer. He says that he uses 4,000 gallons of olive oil annually, and that, if the duty on that article be a tax, he would save \$1,000 a year by taking it off. But he regards such duty as indispensable to the success of the whale fishery, and will not agree to abandon it.

But, if the writer of these additional remarks is not misinformed by those who ought to know all the facts, (and he hopes to show them by references to prices current, at a future period), the price of olive oil has always advanced or declined with the price of sperm oil; the competition of the latter having the usual tendency of increased supply, to keep down the cost of the former.

MANUFACTURE OF CABINET WARE.

The committee to whom was referred the subject of manufacture of cabinet ware, and the materials employed in the same, report—

That from the limited time for making the necessary inquiries, (as the article is manufactured in almost every part of the United States), they find it impossible to offer such a report as might be conclusive. But from the best information they have been able to obtain,—they give the following as the result:

That from the encouragement already afforded by the protecting system, which gives a fair competition with the imported article, the latter has been almost entirely excluded from our market. The article is now manufactured at 30 per cent. less, than for several years past.

It is ascertained, from statistical examination, that there is manufactured in the United States to the amount of \$10,000,000

Foreign materials, on which duty is paid 800,000

Foreign and domestic, on which duty is not paid 4,500,000

Number of men employed 15,000

Amount paid for labor 4,700,000

The article, has become one of considerable export. It is carried in American ships to Canton, in China, South America and the West Indies. There are also a number of vessels, from our principal ports, constantly employed in bringing mahogany to this country.

It has also become one of the principal articles of the manufactures of the country, for the employment of vessels in our coasting trade.

Under the existing duty, the committee are satisfied, that this branch of our manufactures will continue to be prosecuted to advantage, to all engaged therein; as also to the interest of the country at large.

They therefore hope, that no diminution of the present duty may be made, as, under the present protection, it affords only a moderate compensation to the manufacturer—the domestic competition reducing profits to the lowest point at which the manufacture can be sustained. Should, however, any reduction be made—the business will be, in a great measure, abandoned, because of the want of certainty in the market, and that distress ensue to the poorer classes of citizens employed, that has already been mentioned in the report on the subject of the manufacture of hats. Respectfully submitted.

CLARKSON CROLIUS, Chairman.

New York, Nov. 1, 1831.



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